

Meeting Minutes  
Ad Hoc Zoning Committee  
Town of Ulysses

April 11, 2013

***Approved 4/25/13***

**Attendees:** Rod Hawkes (chairperson), Darby Kiley, Dave Kerness, Rebecca Schneider, Don Wilson

**Public:** Frank Flannery, Mickey Tsapis, Lawrence McCann, Cheryl Chalmers, Liz Thomas

Mr. Hawkes called the meeting to order at 7:01 PM.

There were no changes to the agenda.

Meeting minutes from March 28 – one sentence was removed, all members voted to approve the minutes.

**PRIVILEGE OF THE FLOOR**

Frank Flannery asked that the meeting minutes be added to the town website.

Lawrence McCann stated that he read a letter at the April 9<sup>th</sup> Town Board meeting, and he read another letter regarding Lyme disease and unintended consequences of zoning (see attached letter and Lyme disease information).

Mickey Tsapis asked if the committee is addressing the hydrilla problem in the lake. Ms. Schneider and Mr. Wilson responded that the herbicide treatments from last year were successful, but the tubers remain in the ground for many years.

**Driveways/Parking**

Mr. Hawkes provided a handout for discussion (see attached). He calculated lot area coverage with a percent vs. a fixed square footage, included a comparison of towns in the region, and provided cost estimates for porous pavement.

The committee discussed issues associated with placing a square footage number on paved/impervious surfaces. In some cases a longer, switchback driveway makes more sense than a steep, straight one. According to the draft regulations, new construction on steep slopes would be subject to site plan review, so the Planning Board would review and recommend best practices for the driveway route and construction. The driveways should be designed to minimize erosion and runoff and be safe for travel.

The impervious square footage requirements should separate buildings from driveways. The committee began discussing lot coverage, but that discussion will be continued at the next meeting. Ms. Kiley will work on numbers for the average house footprint and how does a square footage requirement differ from a percent coverage.

### **Docks**

Ms. Kiley presented sketches of docks with varying lengths, widths, and extension dimensions. Based on an aerial photography analysis of existing docks in the Town, the average extension dimension is 23 feet by 15 feet (356 square feet), so the draft language of 20 feet in length or width (400 square feet) is not far off of the existing conditions dimensions.

With the current preference for a 60 ft dock length, Ms. Kiley recommended that a total dock area (including extensions) of 700 square feet might be reasonable, and address the public concerns that 375 square feet is too small.

### **Boat Hoists**

Ms. Kiley presented existing conditions for boat hoists. Based on an aerial photography analysis of existing boat hoists in the Town, the average dimensions are 25 feet by 17 feet. The draft regulations include a size limit of 22 ft by 14 ft, with a roof pitch not to exceed 3/12. Roof pitch was discussed, with some members recommending eliminating the pitch requirements and others wanting to keep them, as a protection against A-Frame roofs. The draft also restricts a property to one covered boat hoist structure. The regulations should address uncovered hoists, whether or not there are any limits.

### **NEXT MEETING:**

The next two meeting dates are April 25 at 7:00 PM. The discussion will cover lot coverage, number and type of principal buildings, and tree removal.

The meeting was adjourned at 8:56 PM.

Minutes submitted by Darby Kiley.

**Town of Ulysses Ad Hoc Lake Shore Zoning Review Committee  
 Driveways and Parking Notes  
 3/27/13, Rod Hawkes**

**1) Lot Area Coverage Percent vs. Current fixed square footage**

Town of Ithaca uses 10% lot area coverage for all buildings, walkways, and driveways.

If TOU uses **10% lot area coverage** instead of fixed square footage, then the minimum 2 acre lot (2 X 43,560 = 87,120 sq. ft.) would be allowed to have **8,712 square feet** of combined coverage of dwellings, garage, accessory buildings, walkways, driveways, and parking areas.

If we presume the following foot prints:

Principal dwelling:	2,000 sq ft
Garage, 2-car (20 x 30)	600 sq ft
Accessory buildings, 3 @ 150 sq ft	<u>450 sq ft</u>

Total buildings	3,050 sq ft
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Balance remaining for walkways, driveways = 8,712 – 3,050 = 5,662

Driveway length (12 ft wide) = 5,662 / 12 = 472 feet. (if have no impervious walkways)

**2) Lot Area Coverage Regs around the Finger Lakes**

**Table 1: Comparison of Various Finger Lakes Region Lakeshore Lot Coverage Regs:**

<b>Town</b>	<b>Lake(s)</b>	<b>Lot Coverage %</b>
Ithaca	Cayuga	10
Gorham	Canandaigua	25
Pulteney	Keuka	40 (35)
Romulus	Seneca & Cayuga	Use % but not stated
Skaneateles	Skaneateles	10
Fleming	Owasco	25

**3) Porous or Permeable or Pervious Pavement**

**Table 2: Cost comparison (\$ per square yard) of Impervious and Pervious Pavement  
 (U. Md. Extension 2007)**

<b>Type</b>	<b>High Bid</b>	<b>Low Bid</b>
Hot Mix Asphalt	24.50	23.01
Porous Asphalt	48.40	31.00
Porous Pavers	114.80	104.32
Porous Concrete	71.21	60.75

University of Maryland Extension 2007

[http://mastergardener.umd.edu/local/howard/files/baywise%20files/PermeablePavingHowardCountyMasterGardeners10\\_5\\_11%20Final.pdf](http://mastergardener.umd.edu/local/howard/files/baywise%20files/PermeablePavingHowardCountyMasterGardeners10_5_11%20Final.pdf)

Minnesota Dept. of Transportation 2008

<http://www.terreroadalliance.org/events/innovation/2008/documents/07-lebens-porous.pdf>

Onondaga County: <http://savetherain.us/green-programs/green-infrastructure/porous-pavement/>

### **Town of Ithaca Lakeshore Zone...**

#### **§ 270-47. Building area.**

The maximum building area shall not exceed 10% of the lot area. Projections described in § 270-224 are not to be included in computing the percentage.

#### **§ 270-48. Size and area of lot.**

Lots in Lakefront Residential Zones shall meet the following minimum requirements:

- A. Minimum lot area shall be at least 15,000 square feet; and
- B. Minimum width at the street line shall be 60 feet; and
- C. Minimum width at the maximum required front yard setback line (60 feet from the street line) shall be 100 feet; and
- D. Minimum width at the shoreline, as measured in a straight line that is 90° from a sideline at its point of intersection with the ordinary high water line of the lake to the other side line, shall be 100 feet; and [Amended 7-13-2009 by L.L. No. 10-2009]
- E. Minimum depth from the highway right-of-way shall be 150 feet.

#### **§ 270-49. Special properties.**

In the case of publicly owned properties located in Lakefront Residential Zones, which comprise at least six acres in area and are traversed by interior roads or driveways, the front and side yard requirements set forth above shall apply only along the exterior public street frontages and there shall be no rear yard requirements. The shoreline setback requirements shall remain.

#### **§ 270-50. Parking.**

Parking requirements shall be as set forth in Article XXVII.

#### **§ 270-51. Special requirements.**

[Amended 7-13-2009 by L.L. No. 10-2009] The following additional special requirements shall

apply to Lakefront Residential Zones:

A. Filling, grading, lagooning, dredging, earthmoving activities, and other land use activities shall be conducted in such manner as to prevent to the maximum extent possible, erosion and sedimentation of surface waters. On slopes greater than 25%, there shall be no grading or filling within 100 feet of the ordinary high water line of the shoreline unless:

(1) A permit for same is obtained pursuant to the fill permit provisions of this chapter or is issued by the Town of Ithaca Director of Engineering upon his determination that such grading or filling is necessary to protect the shoreline and to prevent erosion, or

(2) Such grading and filling is in conjunction with construction pursuant to a building permit legally issued by a Code Enforcement Officer after the Town of Ithaca Director of Engineering has reviewed the proposed construction and any required or necessary erosion control measures and has determined that the conduct of such work will not adversely affect the shoreline.

B. In addition to the requirements of this article, any construction, grading or other activities shall be conducted only in accordance with any federal, state or other local law or requirement pertaining to such activity, including any requirements of the New York State Department of Environmental Conservation and the United States Army Corps of Engineers.

**Town of Ithaca Zoning Code Article XXVII (excerpted portion related to residential parking)**

**B. All zones except Mobile Home Park Zones:**

(1) If permitted or existing in a zone, the following uses shall be provided with the following off-street parking facilities:

(a) One- and two-family dwellings: Two garage or off-street parking spaces for each dwelling unit. No parking shall be located more than 200 feet from the dwelling unit it is intended to serve. Notwithstanding any other provision herein, off-street parking spaces outside of garages may be located in any required front yard provided that no more than 15% of any required front yard is so occupied.

(b) Buildings with more than two dwelling units: One garage or lot parking space shall be provided for each dwelling unit, plus one additional lot space for every three dwelling units. No parking shall be located farther than 200 feet from the dwelling unit it is intended to serve.

(c) Any of the uses specifically enumerated below in Commercial Zones: The same number of spaces as are required in a Commercial Zone.

(2) Unless authorized by the Planning Board during site plan review processes, or by the Board

of Appeals as a variance, no parking is permitted in any required front, side or rear yard.

(3) The Planning Board is authorized to permit parking in a required front, side or rear yard in course of considering site plan approval, provided the Planning Board finds:

(a) That the particular use, nature, or location of the proposed project or building, requires that parking be in one of such yards;

(b) It is not practicable to limit parking to areas outside the required yards;

(c) Parking in such yards does not significantly adversely affect adjacent properties or the character of the neighborhood; and

(d) No such parking will occur in any buffer areas.

(4) In conducting any required site plan review, if the Planning Board finds, utilizing the site plan criteria set forth elsewhere in this chapter, that the particular use, nature, or location of the project under review, or other circumstances, require that parking be to the rear of the principal building on the site to mitigate or avoid adverse effects on the project, on adjacent properties, or on the neighborhood generally, the Planning Board shall have the authority to require the parking to be so located.