

**TOWN OF ULYSSES
BOARD OF ZONING APPEALS
MEETING MINUTES
Wednesday, January 17, 2018**

Approved:

Present: Board Chair Robert Howarth, and members Jonathan Ferrari, Stephen Morreale, Cheryl Thompson; Town Planner Darby Kiley.

Mr. Ferrari was made a voting member in place of Andrew Hillman, who was absent.

Public in Attendance: Linda Liddle

Call to Order: 7:00 p.m.

Draft language for zoning

Mr. Howarth began by reminding Board members that the BZA in April had put forward three resolutions – passed unanimously – outlining suggestions to the Town’s Zoning Update Steering Committee (ZUSC) in regard to ongoing zoning updates. Those resolutions encouraged 2-acre minimum lot sizes, responsible ag-manure management practices and – most substantively – a density-based averaging approach where 80 percent of a parcel would be conserved at the time of first subdivision. While the Town Attorney believed the BZA’s 80/20 conversation-to-development strategy to be a takings issue, Mr. Howarth challenged her on that. ZUSC ultimately did not address the BZA’s strategy again, however, ZUSC did propose 15 as the divisor to determine the number of allowable subdivisions on a given parcel. This strategy comes very close to the BZA’s original 80/20 approach. To Mr. Howarth, he does not see the point in putting forward the BZA’s proposal again, but instead would use the evening’s meeting to discuss collectively what the BZA would like to see in the updated zoning.

The conversation began with CAFOs. Ms. Kiley said CAFOs remained unchanged under the latest zoning rewrite – they still require a special permit. The only change is the Town will now receive notification of manure management plans by the producing site. Much of the language in the updated zoning regarding CAFOs comes from the consultant’s work from the Town of Catharine.

Ms. Thompson asked about the A1 and R1 zones, which initiated discussion on flag lots and road frontage, since the primary difference between the two is that A1 requires a minimum 400 feet while R1 requires a minimum of 250 feet. In its initial resolutions, the BZA recommended 200 feet road-frontage minimums in the ag zone, but Mr. Howarth has since come to doubt whether that is a good idea or not. Relaxing from 400 to 200 feet allows for more building lots, he said. Mr. Ferrari noted the Town of Homer requires 400 feet minimum road frontage and prohibits all flag lots. What is the point of a road frontage requirement if you allow flag lots? He asked. With flag lots, Mr. Morreale said, we want to encourage clustering; I do not want 200 feet minimums throughout the landscape. Mr. Howarth noted both the Ag Committee and Planning Board have

challenged cited statistics about the rate of housing development in the Town; that is debatable. He said his biggest fear is the Town turning into Lansing, which has experienced considerable housing development. Ms. Kiley noted an idea floated recently to extend the Town's Conservation Zone up to Dubois Road and as far north as Willow Creek Road, since groundwater accessibility is limited and thus housing development should be limited too.

Mr. Howarth felt ZUSC language should stress the importance of open space, since there are other values to open land besides just views. Ms. Kiley said the Ag Committee had made the argument that there needed to be more emphasis on ag land.

The advantages of a smaller road frontage requirement were discussed, but ultimately Board members favored a 400-foot minimum road frontage requirement.

How many people own farms? How many large landowners would be impacted by the proposed zoning changes? Mr. Morreale asked, adding he does not want to make ag lands and open space more amendable to development for the sake of only a few property owners. Mr. Ferrari, too, felt the larger responsibility is to all Town residents and not just 30 or so people. It is the BZA's responsibility to be stewards of the Town for those who come after us.

The BZA then compiled its three points to present before the ZUSC meeting on January 18. They are:

1. Propose a maximum of 20 percent of total acreage of the parent lot can be used for residential development. The 20 percent proposal has the same effect as dividing by 15, but allows more flexibility for the land owner by relieving them of a maximum residential lot size. This streamlines the proposed language.
2. Leave the minimum lot size at 2 acres.
3. Change the minimum road frontage requirement to 400 feet.

A straw vote was taken on whether these three points should be presented and was passed unanimously.

The BZA then spent about 45 minutes discussing the Town's Conservation Zone, the R1 Zone near the Village of Trumansburg, and the pros and cons of changing the R2 zone in the southeast corridor to mostly agriculture.

Mr. Howarth repeated both his and Mr. Morreale's charge to represent the BZA well at the ZUSC meeting, adding they will stress that open space has other advantages besides aesthetics and that density should be targeted to specific areas.

Mr. Morreale MADE the MOTION to accept the December 20, 2017 meeting minutes, and Ms. Thompson SECONDED the MOTION. The motion was unanimously carried.

Mr. Morreale MADE the MOTION to adjourn the meeting, and Mr. Howarth SECONDED the MOTION. The motion was unanimously carried.

Meeting adjourned at 9:01 p.m.

Respectfully submitted by Louis A. DiPietro II on February 8, 2018.