

Draft- not yet approved **PUBLIC HEARING**

Local Law #2 of 2022: Amending the Special Events Law

Town of Ulysses

April 12, 2022

Audio of the minutes are available on the website at ulysses.ny.us.

The meeting was held via videoconference on the Zoom platform.

Videoconference chat is saved in the appendix.

Notice of Town Board meetings are posted on the Town's website and Clerk's board.

CALL TO ORDER:

Ms. Olson called the hearing to order at 7:01pm.

ATTENDANCE:

TOWN OFFICIALS PRESENT:

The Town Clerk called the roll:

Supervisor- Katelin Olson

Board members- Michael Boggs, Rich Goldman, Mary Bouchard, Roxanne Marino

Town Clerk- Carissa Parlato

Attorney for the Town- Nathan VanWhy

Second Deputy Supervisor- Michelle E. Wright

OTHERS:

Via Zoom:

Erick Whelpley, Anne Koreman, Linda Liddle, Chaw Chang, Jordan Bonafede, Kry Cail, Greg Reynolds, Karen, George Myers, Rosie Fox, Selena, 16073791702, Cait Darfler, Carol's Iphone, Charles Schlough, David, David Holtzer, Evan's Iphone, Greg, Hugh's Iphone, James, John Wertis, Joyce Russell, Liz Cameron, Mark H. Anbinder, Molly Wadzeck Kraus, Nancy Tubbs, Nate, Nicole's Iphone, Paula, PJK, Rachel, Scott Whitham's Iphone, SJ Pad, Steven Manley, Walt Fullilove, Zoe Hessler, Zoom User

In person:

Rajinda Singh, Ramell Stalks, Jerry Reynolds, Will Conroy, Kevin Black, Kris Romer, Heather Hallagan, Alan Vogel, Jonas Puryear, Anne Muscatello, Packy Lunn, Jeb Puryear, Jordan Puryear, Elaine Springer, Richie Stearns, Russ Friedell, Lissa Farrell, Joann Kingsley, Jordan Bonafede

APPROVAL OF PUBLIC HEARING AGENDA

Mr. Goldman made a motion to approve the agenda. This was seconded by Ms. Bouchard and passed unanimously.

PRIVILEGE OF THE FLOOR:

(none)

BACKGROUND ON HEARING:

Ms. Olson noted the following special events requirements:

- a special event is defined as longer than 8 hours & more than 50 people

- the law does not apply to the fairgrounds
- the law does not limit the number of times a property owner can apply
- the law will change the approval process so that the Code officer will have the power to approve the first application and the town board will approve any subsequent applications
- a property owner does not have a *right* to hold an event, rather, the zoning law dictates whether it is permitted

PUBLIC COMMENTS:

See comments submitted in writing in the Appendix of this document.

Joanne Kingsley said that she doesn't currently live in the town but has worked and lived here in the past. She hopes that the next comprehensive plan is underway and any changes for this law would be included at that time.

Anne Koreman inquired as to how this change would affect events held at Taughannock Park.

Russ Friedell, a town resident, shared background information on the Grassroots Festival as well as its mission statement, noting that the organization injects millions of dollars into the economy and has followed permit guidelines for many years. He was concerned about the proposal changing the number of special events/person from 4/year to 1/year as well as how the town board might make decisions on how to approve applications- as it could be political or subjective. The current process with code officer works fine.

At this time, participants expressed concern that there were different zoom links for the meeting on the website. The Town Clerk apologized and updated the website with the correct information.

Board members offered corrections to Russ Friedell's statements, clarifying that the board meets at least 2 times/month and special events can last up to 5 days rather than 4.

Elaine Springer said that last year the board only allowed Grassroots to have special permits lasting for 4 days and not 5. Board members disagreed.

Chaw Chang expressed concern over how this amendment could affect current and future farmers in the town. He further added that no changes should be made without a town ag committee in place.

Ms. Olson responded that this proposal would not change property owners' ability to conduct commercial and agricultural activities.

Chaw Chang added that he believes it will be a deterrent for farmers.

Jerry Reynolds, president of the Trumansburg Fair board, asked whether this would affect events at the fairgrounds. Ms. Olson stated that the amendment does not pertain to or make any changes to the fairgrounds.

Someone asked whether camping at the fairgrounds would be affected. Ms. Olson said that camping would still need health dept. and other approvals but would not be subject to this law.

Erick Whelpley thanked the board for the proposal and feels that it is fair. He feels that it is too much pressure for one person (code officer) to approve special permits and values the public feedback that will be taken into consideration with the proposed changes.

Jeb Puryear asked how many people applied for special events last year. Ms. Olson said that she did not have the numbers but thinks that last year the only applicant was the Grassroots Festival. Mr. Puryear asked how the board will make its determination on applications and expressed concern that it may be personal preference rather than in a fair way. Ms. Olson noted that currently one person (code officer) is the single decider in a non-transparent way. Mr. Goldman offered that with town board approval, 5 people in public session will make the decision.

Jordan Bonafede appreciated the town board for addressing this issue. He said that last year there was a public outcry due to the events (on Falls Rd) as the area is not zoned for those events/camping. He was upset that a single civil servant was able to make the decision to allow those events. He prefers the idea of having the town board make the decisions in a more transparent way.

Joanne Kingsley asked for clarification on the comprehensive plan. She noted that this is a very white community and wants to draw attention to the things that are promoted and cancelled with respect to diversity and culture.

Krys Cail finds it problematic for the town board to issue individual permits for reasons mentioned earlier. She thinks there should be a distinction for 1 day vs. 5 day events. Ms. Olson clarified that a special event is defined as 8 hours or longer and more than 50 cars. Ms. Cail questioned whether this is true for bed & breakfasts as well. She is concerned about affordability and having clear guidelines.

Lissa Farrell identified herself as a resident & Grassroots board member. She hopes that there is not a desire in the town to reduce economic and cultural richness in community as they enhance the area.

Greg Reynolds said that the electorate has shown preferences in the past for the town board to pass laws and have civil servants enforce them. He questioned whether Ag Districts can have special events. Ms. Olson said that this is the purview of the NYS Ag Dept. rather than the town.

Jordan Puryear thinks it will be helpful to delineate events further as camping should be considered separately. He wants to make sure that people can still do interesting things.

Ms. Olson noted that in 85% of the land in the town, camping is permitted.

Mr. Puryear added that when land on Falls Road was being purchased by Grassroots, they were told that they were allowed to have camping there. Ms. Olson stated that the zoning on their parcel has not changed since before they purchased it.

Karen thanked the board for addressing this as it has been an issue. Her opinion is that the zoning officer has been doing a good job but it is too much for 1 person. She believes that this amendment will allow for more oversight and planning for special events.

Ann introduced herself as a new resident. She is not confident that the town will be transparent in making the decisions since many people were not able to access the meeting due to incorrect meeting details on web site.

Rosie Fox questioned how the board will make fair decisions and assure applicants that decisions won't be made based on personal bias/opinion. Ms. Olson noted that state requirements need to be met (i.e. SEQR, etc.) and reiterated that in the current law a civil servant makes the decision in private as opposed to an elected board making decisions in a public meeting. Ms. Fox asked whether the board will act fairly and have set criteria that applies to all event applications. Mr. Goldman said that he will take into account how neighbors feel. Ms. Olson added that the board may consider a moratorium on special events to develop criteria.

Mr. Puryear feels that the law shouldn't be changed until criteria is developed and that the code officer has never had an issue in approving an event.

George Myers feels that Grassroots doesn't seem like a "special" event as it is annual and lasts for more than 5 days rather than a one time event.

Mr. Friedell wondered how many special event permits have been approved by the code officer. Ms. Olson and Mr. Goldman answered that they were unsure. Mr. Friedell further inquired whether there was some issue with the code officer that the public was unaware of.

Mr. Goldman read a statement from Mark Washburn, Code Officer, in support of making amendments to the law based on the amount of time he spends approving permits as well as ensuring the safety of events before approval.

Mr. Friedell asked if there were there issues from Grassroots' activities last year. Ms. Springer said that she had a follow up meeting with Mr. Washburn and was told that there were no issues.

Jeb Puryear said that last year's events were due to COVID and they don't plan to do it again. He reiterated that Grassroots is a boon for the local economy, culture, and arts.

Mr. Bonafede (now in person), said that he purchased property on Falls Rd. due to the zoning and doesn't want camping near his house as this is not permitted in that zoning.

Ms. Marino shared that she heard lots of complaints from Falls Rd residents last year and the board is compelled to act. She understands that last year's events were due to COVID. She appreciates everyone who is participating and sharing feedback.

Selena (from Grassroots) shared that an economic impact study was done and shows that Grassroots has a large impact, generating \$3.67 million in the community.

Ms. Olson noted that the amendment is not just for Grassroots. Based on comments, the board will schedule a second public hearing that is not required by law. She encouraged folks to sign up for the newsletter to stay informed of town issues.

Ms. Olson asked if there were any other comments. Hearing none, Mr. Boggs made a motion to close the hearing at 8:23pm. This was seconded by Ms. Bouchard.

PUBLIC COMMENTS:

(See Appendix for comments received in writing)

Respectfully submitted by Carissa Parlato on 4/21/22.

APPENDIX:

Comment received in writing:

1) I live in the Town of Ulysses and looking at the proposed changes to the Special Events law. I understand the change from 5 days prior to 30 days prior, as it seems reasonable. However, I am against the change to 142-3 section B, as 4 events a year was already limiting and changing that to 1 event per year feels wrong. The amount of money/tourism that floods our town during these events is a definite boost to the local economy. Changing this particular rule would impede progress. To me, 5 days or 30 days doesn't really matter as they are essentially getting permission from the Town and paying a fee either way. I am against the change to limit the number of events.

My 2 cents...

~Julia

Julia Leonard

2) I would like to know who has proposed this law and what the rationale is.

On a first reading, it seems like a law specifically to try to regulate one organization who does a lot of good for this community. Are there other events that are being proposed that would require further regulation?

If this is just to regulate Grassroots, then this seems like an overreach. If it is legitimately to counter other concerns about other events, then Grassroots should be grandfathered in to their current arrangement. They have been good neighbors and good organizational citizens.

I would also add that this seems to have been poorly publicized and with little notice, and that the guidelines for town of ulysses notifications seems vague and unfriendly to working citizens. If you are going to be considering new laws, perhaps a law on how you need to notify the community of public meetings and minimum dates for locations to be announced should be considered.

Ari Kissiloff

Trumansburg Village resident

3) To Town of Ulysses Board:

We are writing in support of the proposed amendment regarding special events.

We have lived and paid property taxes in the village for over 30 years. We have enjoyed this quiet, small town community.

Living on Main Street, you can imagine the noise and traffic grassroots produces each year. The past several years we have planned to be out of town on grass roots weekend to avoid

this. While we respect the folks that enjoy grass roots it doesn't seem fair that the rest of us cannot enjoy our backyards and lose out on sleep from all the noise. We do not feel the property across the way should be allowed to have multiple summer events. Should we be expected to be out of town more weekends in the summer to accommodate more events? That just doesn't seem fair.

Limiting grassroots to one weekend and extra events at the across the way property seems fair or maybe they should consider a different venue.

Respectfully submitted,

Ray and Wendy Coolbaugh
135 E main st.

4) Hello,

Please share the following public comment at the Town Board Mtg today, April 12, 2022 at 7pm on my behalf:

As a new homeowner in Ulysses, within walking distance to the Trumansburg Fairgrounds and Across the Way Campground, I am discouraged by this proposed law to limit special events in our community. The links between the economic health of a community and the quality of its social bonds are clear and have been studied by sociologists, scientists and scholars such as [Dr. Felton Earls](#), a Harvard professor of public health.

In looking for the aspects that affect the physical well-being of people in different communities, Dr. Felton Earls, conducted an extensive, fifteen-year study in neighborhoods across Chicago. His research found that the single-most important factor differentiating levels of health from one neighborhood to the next was what he called "collective efficacy." It wasn't wealth, access to healthcare, crime, or some more tangible factor that topped the list. A more elusive factor--the capacity of people to act together on matters of common interest--made a greater difference in the health and well-being of individuals and neighborhoods.

The communities thriving through "collective efficacy" provided opportunities for people to come together in creation and celebration of culture. They developed their social capital by cooperating, sharing and seeking collective goals, and by developing ties on a cultural level. These connections serve communities well in their other endeavors--from economic development to civic participation to healthy living.

Looking at the [2022 Community Events calendar](#) on the Town of Ulysses website, there is one event listed "Auditions for Encore production," which occurred on April 8th, 2022. How is the Town of Ulysses encouraging social bonds of citizens within our community?

The social and economic opportunities of the [Finger Lakes GrassRoots](#) organization are undeniable. Their theology is built on "collective efficacy" Dr. Felton Earls found to be the determining factor of economic health of a community. Step onto the grounds of a Finger Lakes GrassRoots event and you will find every demographic of human being celebrating, collaborating, learning, healing, and bonding together. Finger Lakes GrassRoots brings rich artistic, community and economic opportunities to our region and this proposed law would only add a further barrier for organizers to obtain legal permits following their one allotted annual event.

A shift from 4 permits a year to 1 permit a year with an appeals process would only make it more difficult for event organizers to obtain legal permits. I did not see any indication in the proposed amendment holding the Town of Ulysses responsible for offering event organizers a swift appeal to this new law through a timely hearing with the public once their application has been submitted following their one allotted event. Also, how are we as residents made confident that the appeals process will be open to the public when the meeting for today still does not have an address listed as of 2:30pm but states, "The public may join in person or via Zoom video conference." As a concerned Ulysses resident, I only see this proposed law limiting positive cultural opportunities within our community.

So I ask the board; In a time when many of us within our community, country and world are yearning for deeper connection, how is it of benefit to limit your community's opportunity to gather safely outdoors? How do you see this law benefiting the social and economic health of Ulysses?

Thank you for your time,

Anne E Muscatello

- 5) I'm a trumansburg home owner and I don't understand the new amendments to permits for special events, it seems to be targeting the Grassroots festival. It's been a wonderful to have these events here its a boost to the economy in trumansburg. Putting on the festival takes weeks and is a huge effort having the culture camp was such a good idea ,it's a much smaller event with workshops for art and music and a diner and dance each evening. Now after GR invested in the land behind the shur save it seems you want to make it harder for them to be a success. I don't know but every few years the anti GR Karen's would like to shut it down and that would be sad.i would hate to see them pack up and leave town.

James Davis

65 Hector st. Trumansburg

- 6) I am a property owner who lives on Falls Road and I am very much for the county enforcing tight restrictions on the commercial use of the grassroots property on Falls Road. Just because of the popularity of grassroots and the mandate by all the people that attend, does not mean they can

have unlimited events on the property. It is not a commercially zoned lot and can not be used like one to create income at their whim.

Please change the current laws to be more restrictive.

Thank you.

Glen Miller

8087 Falls Rd.

607-387-3194

7) RE; the new event permitting process

I am a resident of the Town of Ulysses

It is a very good thing to keep events in town limited. Two areas with multiple events going on at the same time create confusion and congestion for the town people. 5 days is enough time for an event. Currently grassroots starts a week prior and takes a few weeks after to clean up. This should not be allowed.

We do a lot of camping at festivals and there are other rules at these festivals that are not in place here.

*They do not follow the 10' law for awnings that other campgrounds are required to follow.

*They pack too many people in without proper facilities for them. How could medical people get in to assist in the event of an emergency?

*They do not handle the trash well. It is frankly disgusting as a citizen to see. This is bad for tourism. And apparently no one feels it's their job to take care of our earth. This should not be left up to local youth fundraisers to pick up their trash.

If you go to Pickin in the Pasture just up the lake, you will see all vehicles are well distanced, there is zero trash left on the grounds, there are lots of facilities and drive ways and trash containers.

I fully support the "No more than one special event permit per calendar year shall be issued to the same operator or for the same property," I also support the denial of any variances that allow this event to grow until they learn how to handle the current issues.

Monica Pritchard

37 years as a resident

8) To the Town of Ulysses Board:

I support the amendment to the special event permit process. Special events should be special--- not a way for a property owner to escape the legal zoning of a property. One special event per year, which may involve thousands of people, is special. 4 special events in a month, each for 5 days, is not special --- it's a way to run a commercial property in a non-commercial zone.

I would rather have elected officials make exceptions to our zoning because they can be held accountable to the voters far more easily than a civil service employee.

Thank you,

Jordan Bonafede

9) Dear members of the Board,

I have been a resident of Falls Road for some 25 years.. I am writing to voice my opposition, in the strongest of terms, to the passing or relaxing of any law or ordinance that allows Grassroots to extend their season. Last year created enough of a disturbance on our normally peaceful road, and it looks like Grassroots not only wants to continue that precedent, but to extend it.

In addition, I feel the permit process should be as strict as possible. I know that last year, Grassroots took it "down to the wire" in meeting some of the requirements, and I sense they are willing to ride roughshod over both the rules governing their use of the land, as well as the rights and wishes of their "neighbors" on Falls Road.

Respectfully,
George Myers
8373 Falls Rd,
Trumansburg