

TOWN OF ULYSSES
STEERING COMMITTEE FOR ZONING UPDATES
MEETING MINUTES
Thursday, July 7, 2016
7:00 p.m.

Approved: July 25, 2016

Present: Chair Nancy Zahler, Rod Hawkes, Darby Kiley, Sue Ritter, Elizabeth Thomas, and George Tselekis; C.J. Randall and David West of Randall + West.

Public in Attendance: Roxanne Marino of the Ulysses Sustainability and Conservation Advisory Council.

Agenda Review; Minutes Review (6/2/16)

The Committee briefly discussed the matter of tracking and documenting its hours. Ms. Kiley informed members to jot down dates, number of hours, and any tasks associated with Committee work. Beginning now, Committee members are asked to commit four hours a month, she said.

Ms. Kiley MADE the MOTION to accept the June 2, 2016 meeting minutes, and Mr. Tselekis SECONDED the MOTION. The minutes were unanimously approved, 6-0.

Ms. Kiley MADE the MOTION to accept the June 6, 2016 focus group minutes, and Mr. Hawkes SECONDED the MOTION. The minutes were unanimously approved.

Privilege of the Floor: No one addressed the Committee at this time.

Jacksonville Zoning Meeting Debrief

Ms. Zahler said she appreciated the consultants' extra effort in pulling together existing Town Zoning standards, which was an especially informative piece from the focus group session. Roughly 40 were in attendance, according to Ms. Kiley.

Ms. Randall called the focus group feedback excellent and noted one resident's suggestion to reference Sanborn maps to review how the hamlet developed pre-zoning. Ms. Zahler noted many in attendance offered comments and questions via index cards, which Ms. Kiley said she would circulate to Committee members. Lastly, Ms. Zahler commented on aerial photos used by previous consultants during an environmental assessment of Exxon-owned properties in Jacksonville. She said it was interesting how the photos show the evolution of development and farm fields around the Hamlet.

Zoning drafts discussion, including feedback from Ag Committee

Mr. West said a circulated memo to the Committee gives a brief summary of the macro-scale proposed changes to the Town Zoning and a justification of why those changes are being

proposed. The Committee will have to decide how to handle the Ag Committee's recommendations – particularly in regard to land value of ag parcels – either by meeting with them or drafting a formal response. Steering Committee comments will help shape the memo into a kind of pre-draft of Zoning, he said, adding that a draft for review by other committees will come out of the Steering Committee process.

At this time, Committee members reviewed the Randall + West document.

Lot size and subdivisions appear to be the most substantive parts of the memo, Ms. Zahler said. Much of the ensuing discussion focused on the consultants' three options, as outlined in their memo:

1. Lots of 20 acres or more may be subdivided from a parent lot. This is less than ideal as some lots are likely to transition to strictly residential use but a 20-acre parcel may be productive as a CSA and is a reasonable size for other small farm operations.
2. A parent lot may have cluster lots of 0.5 - 2 acres subdivided off incrementally up to the maximum number of lots allowed by this ordinance based on the size of the parent lot (1 lot per 10 acres). This regulation minimizes the amount of land that is used when strictly residential subdivision takes place, reduces the overall number of units allowed and places those units in a manner that minimizes the loss of productive ag land while allowing small single lots to be subdivided incrementally to provide capital for operations or housing for family members.
3. Following Conservation Subdivision Design Standards allows a 30% density bonus over incremental cluster lot development but requires planning for the entire subdivision upfront and stronger standards. This regulation incentivizes the use of the best siting and design standards by granting some additional units (though the total is still fewer than would be allowed under existing regulations)

Mr. Tseleki asked for clarification on option 2, while Mr. Hawkes said the use of the term "cluster lot" is confusing. Asked to explain their thought process in developing the three options, Mr. West said Steering Committee feedback shaped the proposal, which reflects the strongest farmland conservation measures. These measures are a starting point. Increasing the minimum lot size is important since it reduces development potential in the Ag District. However, it is not enough by itself because there could be a market for large, rural homes, which would succeed only in speeding up residential development on ag parcels. As a relief valve, consultants propose allowing the smallest potential size for residential development (.5 acres), which would let landowners subdivide off small parcels in the Ag district. With 2 acres as the maximum, the Town would be encouraging a more efficient distribution of residential development and ag land preservation.

A discussion ensued regarding specifics of subdivision and what would or would not be permissible. On the matter of a .5-acre minimum, Ms. Kiley said the Tompkins County Health Department has stipulated that .5 acres for residential development does not meet sanitary code. Even with a shared septic, property owners would need approvals. Ms. Randall said County officials she spoke with are warming to the use of UV septic systems that can operate in small

areas. Mr. West said the reason for 2-acres is to allow plenty of space for well and septic. If the Town wants to be more efficient with land, it makes sense to build smaller, he said. It was noted that the property owner seeking to subdivide off a .5 acre lot would be responsible for attaining approval for a septic system, not the buyer.

Ms. Thomas suggested, and Committee members agreed, the updated memo include illustrations. A brief discussion ensued regarding the term “cluster” and whether it is the most accurate term to use within the memo.

Further clarifying the options, Mr. West explained the proposal substantially reduces maximum unit yield. If a landowner today wanted to subdivide 100 acres, Town Zoning allows 2-acre minimum, meaning the landowner could subdivide into 49 lots (though 45 lots in more realistic, he added). Consultants are substantially reducing that, he said. Now, if doing a cluster with conservation subdivision – as outlined in option 3 – that same landowner could subdivide 13 lots as opposed to 45. The consultants removed from Zoning stipulations on lots along the roadway and the requirement of 400 feet of road frontage, he said.

Ms. Thomas said a recent complaint regarding manure spreading in Town makes the Steering Committee’s charge especially relevant because ag and residential uses are not always compatible. There is always this interface between ag and urban that creates stress. There are instances, Ms. Zahler added, where a farm is located within a residential community, and the Town has to follow the rules as if the farm is the dominant use. Ms. Ritter said she took exception to a comment within the Ag Committee’s memo, saying they recommend a continued merger of residential development and agriculture. It is a bad idea. The Town needs to protect residences, too, she said. Sticky situations arise when farmers are not abiding by best practices, Ms. Thomas said, because, outside of Ag and Markets, no one has enforcement authority over farmers who don’t use the best agricultural practices. Soil and Water can act in an advisory role. It is frustrating because some of those practices are not compatible with residences.

Mr. West pointed to the Ag and Farmland Protection Plan, which discourages residential growth in agricultural areas because of this fundamental mismatch. Ulysses is in a fortunate position – they are in the early stages of development. What happens elsewhere is incremental suburbanization, when a town surpasses a tipping point and ag potential goes down. More residential development pushes the value for development up further, and towns must decide between prohibiting further development or going all-in with suburban development.

Mr. Hawkes asked about Purchase of Development Rights. Mr. West said PDRs are an option consultants have yet to fully flesh out. If development is transferred to a targeted area – say the Jacksonville Hamlet – the Jacksonville community must understand how much development could be sent there. Touching on Ms. Zahler’s point regarding the high costs of clusters, Mr. Hawkes said an emerging pattern in Town is not an out-of-towner looking for a lot. Rather, it’s a landowner looking to subdivide off a parcel for a son or daughter to build on. Issues arise when those homes on subdivided lots are sold to new owners, who may not be comfortable living by a farm, he said.

Ms. Ritter said the Town of Ithaca has had a PDR program in effect for over 20 years and with two participating farms. She said the process involved with PDRs is often long and tedious. In one case, by the time the State processed the PDR, the seller did not receive as much money as was initially appraised. Some have expressed interest in PDRs, she said, but ultimately did not follow through because of the rules associated with them.

Ms. Randall referenced an innovative bond-related initiative called Greenprint, which was used in the Town of Clarence. Ms. Thomas suggested the Transfer of Development Rights as another option.

After a brief discussion regarding next steps, the Steering Committee reached a consensus to hold a second meeting – 7 p.m. Monday, July 25 – to further discuss the draft. Ms. Randall said they would make the pre-draft ordinance available online for Steering Committee members to mark up. The Committee reached a consensus to submit any feedback by July 15 to allow consultants enough time to craft a more refined draft.

Ms. Kiley MADE the MOTION to adjourn the meeting, and Mr. Hawkes SECONDED the MOTION. The motion was unanimously approved.

Meeting adjourned at 8:43 p.m.

Respectfully submitted by Louis A. DiPietro II on July 13, 2016.