

**TOWN OF ULYSSES  
ZONING UPDATES STEERING COMMITTEE  
MINUTES  
Thursday, 05/03/2018**

**Approved: 5/24/2018**

**Call to Order:** 7:00 p.m.

**Present:** Chair Liz Thomas, and Committee members Michael Boggs, Rod Hawkes, Diane Hillmann, Sue Ritter, Bob Howarth, Roxanne Marino, John Gates, and Rebecca Schneider; CJ Randall and David West of Randall + West.

**Public in Attendance:** Greg Reynolds, Steve Morreale, John Wertis, Don Ellis, Linda Liddle, Jill Farnham, Mike Bergen, Barb Kelley, and Tim Reynolds.

**Agenda Review; Minutes Review (3/22; 4/5/18)**

Ms. Thomas MADE the MOTION to accept the March 22, 2018 meeting minutes, and Mr. Hawkes SECONDED the MOTION. The motion was unanimously carried, 9-0.

Ms. Thomas MADE the MOTION to accept the amended April 5, 2018 meeting minutes, and Mr. Hawkes SECONDED the MOTION. The motion was carried, 8-0, with Mr. Gates abstaining.

**Privilege of the Floor**

Mr. Wertis of the Planning Board reiterated his concerns regarding input from stakeholder groups. He feels ZUSC is moving quickly with changes to the zoning document and questions whether stakeholder committees have had the opportunity to address ZUSC agenda topics. He suggested ZUSC, before it takes any vote, poll its members to find out which liaisons have discussed a given topic with their respective boards. Some committees and boards may not have discussed a particular topic. Elsewhere, he said a municipal watchdog group in Ulysses recently sent out information and questionnaires to landowners who own property between 4 and 9 acres. The group received a roughly 30-percent response rate from property owners. None of them attended the November 30, 2017 information session, he said, adding property owners who responded were unanimous in saying they would, if given the opportunity, vote against the 80/20 proposal.

Mr. Ellis of the Conservation and Sustainability Advisory Committee (CSAC) suggested the Town craft a design-standard template for cluster housing.

Ms. Farnham asked ZUSC which of its members own large plots of land, to which three responded they do.

An open discussion ensued in which some ZUSC members offered general comments. Ms. Hillmann said members of the Jacksonville community recently met to talk about zoning on April 19. She plans to write a report on the meeting.

Ms. Marino addressed Mr. Wertis's comments, saying that when ZUSC was expanded, both she and Mr. Wertis asked how ZUSC would handle votes. It was said then that there was no expectation that stakeholder groups would address and vote on every aspect of zoning. It is not logistically feasible, given the timing of stakeholder meetings each month.

Ms. Thomas said Darby Kiley has recently taken a job with Tompkins County and will no longer be serving on ZUSC. However, she has been handling the administrative aspects of the grant. Out of the \$40,000 spent as part of the NYSERDA grant, the Town has been reimbursed \$3,000. When the zoning draft goes to the Town Board, the Town will be eligible to receive \$25,000. Ten percent, or \$4,000, would be held back until zoning is passed into law. If the Town does not pass an updated zoning law, we would be out \$6,000, she said. Mr. West stressed that NYSERDA is not forcing the Town to pass a certain kind of zoning law.

### **Item for discussion/approval**

#### **Office/Technology Mixed Use**

Ms. Thomas began with the Office/Technology Mixed Use section, saying ZUSC recently examined design standards and discussions about dark sky standards and sign sizes. The goal would be to reach a consensus on OTMU and move it along to the Town Board. Ms. Schneider questioned whether the southeast corridor is the right location for the OTMU zone. She raised concerns about microbreweries, calling them industries, and cited recent state-level efforts to require breweries to submit waste management plans. After a discussion, Ms. Randall said State Ag and Markets put out guidance for distilleries about a year ago that addressed nutrient management but not waste management. She recommended looking into this guidance as a model for breweries. Ms. Thomas suggested Ms. Randall and Ms. Schneider work together to add language to the design standards regarding microbreweries and waste management.

Mr. Howarth suggest ZUSC not include animal processing centers in the OTMU zone.

Mr. Hawkes MADE the MOTION to delete animal processing centers from allowed uses in the OTMU zone, and Mr. Howarth SECONDED the MOTION. The motion carried 8-1, with Mr. Gates voting no.

#### **Resolution for OTMU**

Ms. Thomas MADE the MOTION to approve a resolution passing the OTMU zoning language on to the Town Board, and Mr. Hawkes SECONDED the MOTION as follows:

“RESOLVED that the ZUSC accepts the language agreed upon on May 3, 2018 for the Office/Technology Mixed Use zone and passes the document on to the Ulysses Town Board for review and possible adoption.”

The motion carried unanimously, 9-0.

### **Design Standards**

Ms. Ritter recommended that ZUSC add a purpose statement explaining the sign law. Currently, there is no justification for why the Town is enacting a sign law, nor is there a purpose statement, and noted there can be lawsuits concerning signs. Mr. Howarth agreed with Ms. Ritter, saying the BZA would find additional language useful.

After a discussion regarding nonpermanent streams, language was suggested for Section 212-124 (Standards for vegetated buffer areas), Note B (Stream protection setback), sub 2, letter c that USGS topographical maps or determination by New York State certified geologists be used to classify nonpermanent streams.

In the opening paragraph of section 212-140 (Animal Waste Storage Facility), it was agreed to add “and surface water” to the following sentence: “Proper planning and construction of farm-related Animal Waste Storage Facilities ensures the continued protection of groundwater resources and surface water within the Town.”

It was also agreed to strike the line “Upon completion of a peer review meeting, a permit shall be issued so long as all required setbacks are met” from section 212-140, note C, sub 3.

Ms. Ritter suggested illustrations be added to section 212-122 (Standards for signs), note C, and Ms. Randall agreed.

In the definition of Off-Premise Sign, members of ZUSC informally agreed to strike “also called a billboard” from the language.

### **Resolution for design standards**

Ms. Thomas MADE the MOTION to accept the language for the design standards document and pass it along to the Town Board, and Mr. Howarth SECONDED the MOTION as follows:

“RESOLVED that ZUSC accepts the language agreed upon on May 3, 2018 for Town design standards and passes the document on to the Ulysses Town Board for review and possible adoption.”

The motion carried 8-1, with Mr. Gates voting no.

Three of ZUSC’s liaisons gave brief reports about happenings within their respective groups. Ms. Schneider brought up the lack of a lot coverage percentage limit in the Conservation Zone. This issue came to light with the Planning Board recently, and the Planning Board would like to see a lot coverage limit be added back into zoning in the Conservation Zone. Two Planning Board members are reviewing the Town’s Site Plan Review section, and recently Andy Zepp spoke to members of Ms. Schneider’s graduate class, which is reviewing the Town’s permitted

uses in the proposed zoning. It was Mr. Zepp's opinion that the Town has three major areas it needs to protect: lakeshore forests, the Taughannock Creek watershed and the ag area.

At the BZA's last meeting, members discussed signage, CAFOs and perhaps stronger action against CAFOs, Mr. Howarth said. The BZA also reaffirmed its preference for the 80/20 subdivision system, and noted how essential 400 feet of minimum road frontage is to the system.

Mr. Gates said the Ag Committee prefers 200 feet of minimum road frontage, and he wants to encourage CAFOs in Town.

Within CSAC, Ms. Marino said members are reviewing a natural resource inventory completed by Cornell Cooperative Extension and discussed mechanisms for how conservation easements would work in Town. She also expressed the committee's concerns about water quality issues and said the group does not support CAFOs that are too large for the Town.

### **Draft Zoning Map**

The big change with the map is the expansion of the Conservation Zone up to Dubois Road, Ms. Thomas said. Are there any other concerns? she asked.

Ms. Schneider said she is concerned about the potential for sprawl with the map as presented. Purchase of Development Rights were briefly discussed.

Ms. Marino drew ZUSC's attention to a small Light Industrial Area on Taughannock Park Road and Route 96, on what is currently Seedway. She felt the small area should be changed to the B1-Business District, since light industry includes a number of uses that would not fit given the area's proximity to nearby residences and Taughannock Creek. After a discussion, it was suggested to change the area to the Ag/Rural Zone.

Ms. Marino MADE the MOTION to change the area from the light industry district to Ag/Rural, and Mr. Hawkes SECONDED the MOTION. The motion carried unanimously, 9-0.

A short discussion ensued regarding the map as a whole.

Mr. Howarth MADE the MOTION to approve the draft zoning map on the condition that the Jacksonville community may offer changes to the Hamlet areas. Mr. Hawkes SECONDED the MOTION. The motion was carried 8-0, with Mr. Gates abstaining.

### **Next meetings**

For next time, Ms. Thomas suggested ZUSC members consider specific changes to the Ag/Rural zone, and think about how the Town should handle properties between 4 to 9 acres in size, if they proceed with the 80/20 method.

A short discussion ensued regarding buildings of accessory use. It was suggested Randall + West come up with language that prohibits two primary houses on a single lot, but allowing an

accessory use structure, like an apartment over a garage. This new language would be considered for the Ag/Rural and R2 zones, but not for the Hamlet of Jacksonville just yet.

May 24 will be ZUSC's next meeting, and the group will need any specific language changes in by May 15. Additional meetings are scheduled for June 7 and June 28, with Jacksonville being the focus of these two meetings.

For next time, Randall + West will work on: additional language for accessory dwelling units in the Ag/Rural and R2 zones; illustrations for the sign measurements section within design standards; language for CAFO section (with help from Ms. Schneider), and Purpose language for the sign law within design standards.

### **Privilege of the Floor**

Mr. Wertis reviewed ZUSC minutes from January 4 through March 1 and said the January 4 minutes make reference to two representatives and no votes on zoning items. However, the very next meeting had a straw poll, and, at the meeting after that, there was just one representative who could speak on behalf of the stakeholder group, and there was a vote.

Mr. Reynolds estimates Town residents would lose \$7.25 each if the Town does not receive reimbursement for the NYSERDA grant. But, if the Town passes the new zoning, how much does the Town plan to budget for legal fees? he asked.

Ms. Ritter MADE the MOTION to adjourn the meeting, and Ms. Schneider SECONDED the MOTION. The motion carried unanimously.

Meeting adjourned at 9:22 p.m.

Respectfully submitted by Louis A. DiPietro II on May 20, 2018.