TOWN OF ULYSSES
PLANNING BOARD
MEETING MINUTES
Tuesday, February 20, 2018

Approved: March 20, 2018

Present: Acting Chair John Wertis, and board members Benjamin LeWalter, Rebecca Schneider and Sara Worden; Town Planner Darby Kiley.

Mr. Wertis was named chair of the meeting in the absence of David Blake.

Public in Attendance: Charles and Mary Tutton and Michael Boggs.

Call to Order: 7 p.m.

Agenda Review; Minutes Review (02/06/18)

Ms. Schneider MADE the MOTION to accept the February 6, 2018 meeting minutes, and Mr. LeWalter SECONDED the MOTION. The motion was carried, 3-0, with Ms. Worden abstaining from the vote.

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

Discussion on Major Subdivision: Consideration of SEQR and subdivision approval for a five-lot subdivision, where three lots have previously been subdivided from the original parcel. The owners subdivided a 10.53 acre parcel in August 2016, a 10.87 acre parcel in January 2017, and an approximately 18 acre parcel in June 2017. The current proposal includes approximately 3.93 acres on the northeast corner of Dubois and Glenwood Heights Rds (parcel A); approximately 10.85 acres on the southeast corner of Dubois and Glenwood Heights Rds (parcel B); approximately 6.55 acres on the south side of Glenwood Heights Rd on the eastern boundary of the parcel (parcel C); and approximately 26.31 acre flag lot north of the existing farm house (parcel D). The address for the existing house is 1213 Glenwood Heights Rd, Tax Parcel Number 32.-1-12.2. Charles and Mary Tutton, owners.

Board members felt they had all necessary information to proceed with formal action. Ms. Kiley heard back from County Planning, which okayed the proposal. Having initially been curious about the proposed shape of the largest fragmented lot, Ms. Schneider said she now understands why the Tuttons laid out the parcel that way: because it preserves the forested northern edge of the property. A public hearing was briefly discussed, with the Tuttons asking about its purpose and why it is necessary. Mr. Wertis said the public hearing is an opportunity for the neighbors to bring any new information that the Board might find useful in its deliberations. The Board opted to delay approval of the subdivision until after the public hearing.

The Board then reviewed the short environmental assessment. Some of these parameters could be relevant if residential development takes place, Ms. Schneider said. Do we lose the right to
review these parameters again if that happens? Ms. Kiley said Planning Board members must assume, with any subdivision proposal, that the applicant can do anything the zoning allows. You cannot base your decisions on what-ifs, she said.

**Resolution for SEQR**

Ms. Schneider MADE the MOTION to approve the resolution for SEQR, and Ms. Worden SECONDED the MOTION as follows:

WHEREAS:

1. This is consideration of Preliminary and Final Subdivision Approval for the proposed Major (five-lot) subdivision, located east of Dubois Rd, north and south of Glenwood Heights Rd, Tax Parcel Number 32.-1-12.2, R1 and R2 Districts; Charles and Mary Tutton, owners; and

2. This is an Unlisted Action for which the Town of Ulysses Planning Board is acting in an uncoordinated environmental review with respect to Subdivision Approval; and

3. The Planning Board, on February 6, 2018, has reviewed and accepted as adequate a Short Environmental Assessment Form Part 1, submitted by the applicant, Parts 2 and 3, prepared by Town staff, and other application materials; and

4. The Town Zoning Officer has recommended a negative determination of environmental significance with respect to the proposed Subdivision Approval;

NOW THEREFORE BE IT RESOLVED:

That the Town of Ulysses Planning Board hereby makes a negative determination of environmental significance for the reasons set forth in the Environmental Assessment Form Parts 2 and 3 referenced above, in accordance with the New York State Environmental Quality Review Act for the above referenced action as proposed, and, therefore, an Environmental Impact Statement will not be required.

The vote was as follows:

- Mr. Wertis       AYE
- Mr. LeWalter     AYE
- Ms. Schneider    AYE
- Ms. Worden       AYE

**Result:** Resolution approved

The Tuttons left the meeting at 7:26 p.m.

**Zoning Discussion**
Ms. Schneider reported on a recent Zoning Updates Steering Committee meeting she attended, reporting that the major takeaway was ZUSC has heard the feedback that the Town should not do a one-size-fits-all approach to zoning. Other topics that were discussed at the meeting: the issue of special permits for CAFOs; expanding the R2 in the northwest corner of Town near the Village of Trumansburg, and expanding the Town’s Conservation Zone to Dubois Road, which would align with Town Comprehensive Plan goals. On the subject of the Conservation Zone, Ms. Schneider preferred to bring the topic back to the Planning Board for discussion. A conversation ensued regarding expanding the R2 near the Village of Trumansburg, with Mr. LeWalter suggesting that perhaps the best area to expand the R2 is not in the northwest corner of Town but along the east side of the Village of Trumansburg. It is an area that Mr. LeWalter feels where there is a lot going on, plus there’s the old train track that could be used as a trail.

On a more general note, Ms. Schneider advised caution and said development could grow up Route 96 and expand. We need buffers between areas of potential developments, she said.

A broader conversation ensued on a variety of topics, ranging from deed restrictions and conservation easements to development pressure in the southeast corner of Town and the high cost of expanding municipal water.

Ms. Schneider noted architecture, engineering and planning students in a class she teaches at Cornell have started to review the current ZUSC proposal and are accumulating data that could prove useful.

The Planning Board discussed a recent chart circulated by ZUSC that outlines various zoning proposals currently under consideration. Stakeholder groups like the Planning Board have been asked to give their preferred method. Planning Board members reached an informal consensus to email comments on their preferred proposal to Ms. Schneider.

Ms. Wertis prompted a conversation about density-based averaging and stated it is not clear if ZUSC has ever reviewed places where density-based averaging has been instituted. Does it work in other places? Why or why not? He also filed a Freedom of Information Law request with the Town, seeking information exchanged between the Town and Town Counsel. However, the request was denied on the grounds of attorney-client privilege. Mr. Wertis circulated a letter he wrote to the Town Board, appealing the denial, and explained his motivations behind the letter, namely that he feels information shared between the Town Attorney and an ad hoc committee should be public information. Ms. Kiley said the Town Attorney would be the person to release that information, not her.

Ms. Schneider MADE the MOTION to adjourn the meeting, and Mr. LeWalter SECONDED the MOTION. The motion was unanimously accepted.

Meeting adjourned at 8:37 p.m.