Town of Ulysses
Planning Board
Meeting Minutes
Tuesday, June 5, 2018

Approved: July 3, 2018

Present: Chair David Blake and Board members Jonathan Ferrari, Katelin Olson, Rebecca Schneider and John Wertis; Acting Town Planner John Czmanske

Public in Attendance: Michael Boggs

Call to Order: 7:04 pm

Agenda Review, Minutes Review (5/15/18): Mr. Wertis MADE the MOTION to approve the minutes of the May 15, 2018 meeting. Mr. Blake SECONDED the MOTION. After correcting errors and providing some missing names, the Board unanimously approved the May 15 meeting minutes.

Privilege of the floor: There was no discussion from the floor.

Business opened with Ms. Schneider’s report from the May 24th Zoning of Ulysses Steering Committee (ZUSC) meeting.

Ms. Schneider started with an update on topics discussed at the ZUSC meeting; an important point, she said, is that ZUSC members wrote into the meeting’s minutes that any written comment by any individual will be included in whatever is sent to the Town Board before the Board makes final changes. Ms. Schneider said that language gives Planning Board members a chance to have their concerns heard and said that she would like to get their feedback to the next ZUSC meeting.

First, continued Ms. Schneider, (ZUSC Chair) Liz Thomas went through comments from Board members “word for word. Some she considered, some she didn’t.” For example, Ms. Thomas agreed with Ms. Olson that the Town’s historic and cultural resources are not being considered in new zoning language but said because an inventory of those resources does not exist the Committee cannot include them right now. Ms. Schneider said she mentioned Mr. Wertis’ efforts to create such an inventory and will add to her next set of comments the partial historic-resources inventory of Jacksonville Ms. Olson created in 2015.

Ms. Thomas agreed with the Planning Board that the ten-foot contour was wrong and said that issue had been addressed. Other changes include cutting the number of residences allowed on a parcel from two to one, allowing for one accessory building, and removing the requirement that what used to be called elder cottages (now named accessory buildings) be removed after its resident dies.
Committee action so includes approving the 80/20 subdivision rule, which states that parcels of ten acres or less could be subdivided only once.

Mr. Wertis stopped Ms. Schneider’s report to ask why ZUSC kept citing the fact that only seven parcels would be affected by the 80/20 rule. He wondered if ZUSC is saying that as so few people will be affected, they don’t have to worry about the cost to those property owners. Mr. Wertis also asked if zoning that significantly changes the value of subdivided property could constitute a taking. Mr. Czmanske reminded everyone that a Court decides what equals a taking, and Ms. Olson pointed out that good zoning is what protects the Town if a taking situation arises.

Discussion then turned to providing feedback for Ms. Schneider to take to the June 28th ZUSC meeting. Board members talked about the pluses and minuses of percentage versus maximum square-footage limits for lot coverage. Mr. Ferrari pointed out that for large lots, a percentage limit could end up allowing for huge homes. True, said Ms. Olson, however, “on the flip side, if you had a small lot, I would think it would constitute a taking if we make (the percentage) so small an owner could not develop a parcel.” She added that state law says every resident can have a 12th of a building.

Ms. Olson suggested language stating parcels under one acre have a square-foot limit while those over an acre have a percentage limit. Mr. Ferrari agreed, adding that including height restrictions would help push density and lower the carbon footprint.

Further discussion focused on surfaces: impervious vs. permeable, what makes a surface impervious, and how types of surfaces can improve water quality. Several members supported requiring property owners to keep water on their parcels, which would go a long way toward helping the Town meet its goals of conserving land, protecting water, decreasing nutrient runoff and helping combat climate change. Mr. Ferrari suggested rain gardens and Mr. Wertis said that post-storm water run-off should not be greater than the run-off before development.

Mr. Czmanske caution against the word “all,” saying that too many requirements could make Ulysses a community in which no one can afford to build and live. He also said the Board may want to clarify their definition of lot coverage, saying that often driveways, parking spaces and more are excluded from that calculation.

Mr. Ferrari said that requiring permeable surfaces and installing bio-swales instead of big ditches would be another way to get right kind of development in Ulysses. He said he believe all surfaces – even impervious – should be included in the calculation of lot coverage. Ms. Schneider said she is most concerned about people clear-cutting trees to create acres of lawn and wondered about the possibility of tree-cutting limits. She also noted a concern expressed by a ZUSC member about “chopping up” old houses into several apartments.

This time Mr. Czmanske and Ms. Olson noted that creating too many requirements or surveys or limits could mean no one will want to move to or live in the community. Giving people incentives to build here and then saying you cannot do x, y, and z doesn’t make sense, commented Ms. Olson. She went on to
say maybe instead of writing language than completely bans what people can do with their old house, certain buildings, we create incentives for people to renovate old homes or return them single-family residences. Mr. Czmanske suggested that before moving too far forward in saying what can and cannot be done to property in Ulysses it would be wise to look at what restrictions are already in place. He noted that the Town already has “pages and pages” of rules about clear cutting, general habitat, stone walls, etc.

Ms. Olson then came up with the idea of a Town of Ulysses welcome kit – an idea heartily supported by Ms. Schneider and Mr. Ferrari. Ms. Olson described a packet of information that contains descriptions of a parcel’s zoning and what that zoning means to the owner. Something along the lines of “Your new land is in the hamlet zone. That means you can . . . .,” said Ms. Olson. She and Mr. Ferrari though it could be part of a real estate agent’s information or given to the new owner when a house changes ownership.

Discussion was winding down. Mr. Wertis asked Ms. Schneider if she had enough to take to the ZUSC meeting. Ms. Schneider said she did.

Mr. Wertis then MADE the MOTION to adjourn and David Blake SECONDED the MOTION. Meeting was adjourned at 8:44 p.m.

Respectfully submitted by Maria C. Barry on June 13, 2018.