

**TOWN OF ULYSSES  
BOARD OF ZONING APPEALS  
APPROVED MINUTES  
Wednesday, September 19, 2018**

**Approved:** November 21, 2018

**Present:** Board Chair Bob Howarth, and members Andy Hillman, Steve Morreale, Cheryl Thompson, and David Tyler; Town Board member and Zoning Update Steering Committee Liaison Michael Boggs; Town Planner John Zepko.

**Public in Attendance:** Roxanne Marino.

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

**Meeting Minutes (08/15/2018)**

Mr. Tyler MADE the MOTION to accept the amended August 15, 2018 meeting minutes, and Mr. Morreale SECONDED the MOTION. The motion was carried unanimously.

**Zoning Discussion**

The evening's main agenda item was a zoning discussion based on recent feedback from the Town Board, which did not support the Zoning Update Steering Committee's (ZUSC) recommendation for a proposed 80/20 conservation-development split that would be imposed at the time of a property owner's first subdivision. The BZA was the leading body that proposed the 80/20 plan to ZUSC. The discussion's aim was to get input from BZA members on how to proceed, and to discuss possible alternatives to propose to the Town Board. Mr. Howarth said he was unsure what exactly the Town Board did not like about the plan. Mr. Boggs said he had the same question and expressed confusion when the Town Board said the 80/20 plan was off the table. Three of the five Town Board members will not vote for the plan, he said, and cited misinformation being spread from certain community members. The other two Board members are also members of ZUSC and support the plan. The Ag Committee strongly opposes any changes to the current zoning law.

The courts have said zoning is legal, even if there is a reduction in land value, Mr. Howarth said. Secondly, many of the Ag Committee members who oppose the draft proposal do not actually own land in Town. A former member of the Ag and Farmland Protection Plan group, Mr. Howarth said data showed 40 to 60 percent of Town farmland in 2011 was not owned by farmers. Mr. Morreale urged everyone to look at the data to help inform decisions; the Town has the data.

Originally, the proposal among ZUSC was to use 15 as a divisor to determine how many allowable subdivisions per parcel (For example, a 75-acre parcel would be granted a maximum of 5 subdivisions under the initial proposal). Mr. Howarth pointed out that the 80/20 was similarly protective as the 15-divisor plan but actually offered property owners more flexibility.

Mr. Boggs reported that, at a recent meeting attended by the deputy assessor, the assessor did not see 10 to 12 housing starts per year in Ulysses as high development pressure. Mr. Zepko agreed; 10 to 12 houses per year is slow growth. But that is a rearview-mirror look, said Mr. Hillman. The point is to protect the Town now, since achieving the Town's goals to protect agriculture and open space will become more difficult once development does arrive, he said. Mr. Howarth noted areas in the towns of Ithaca and Lansing, where farmlands are now gone.

Citing the necessity for safeguards to protect ag lands, the BZA ultimately supported the 80/20 plan and also supported the option to allow one house on the 80-percent, no-development portion.

Mr. Hillman MADE the MOTION to adjourn the meeting, and Mr. Morreale SECONDED the MOTION. The motion was unanimously carried.

Meeting adjourned at 8 p.m.

Respectfully submitted by Louis A. DiPietro II on November 13, 2018.