



**Planning Board
Zoom Hybrid Meeting
Meeting Minutes
June 20, 2023
Approved: July 18, 2023**

Board Members Present: Linda Liddle, Mo Klein, Chair Pete Angie
Board Members Present Online: Matt Bishop
Board Members Absent: Rebecca Schneider
Quorum Present

Others Present: Karl Klankowski, Scott Sherwood, Hunter Sherwood, Kyle Welch, Kyle Koskinen
Town Staff: Niels Tygesen, Mollie Duell
Members of the Public: Emma Hughes, Heidi Sherwood

Proceedings

Chair Pete Angie called the meeting to order at 7:00 PM at Town Hall.

Approval of Agenda

Motion: Klein made a motion to accept the agenda with an amendment to table the review of the June 6th meeting minutes; Liddle seconded.

Vote: Liddle, aye; Klein, aye; and Chair Angie, aye.

Motion Carried.

Privilege of the Floor

The Board was not addressed by any member of the public pertaining items not on the agenda.

The Board discussed telecommuting policies for voting on the board. As Bishop is joining the meeting remotely due to feeling unwell, he is eligible to vote if The Board votes for approval.

Motion: Klein made a motion to appoint Bishop a voting member for the meeting; Liddle seconded.

Vote: Liddle, aye; Klein, aye; and Chair Angie, aye.

Motion Carried.

Old Business Items

SPP2301-01: Klankowski Tram Project

Public Hearing

The applicant originally proposed to construct an 80' tram from the upper portion of the lot to the lower level above the shoreline of Cayuga Lake during the February 7th meeting. The project required a few area variances from the BZA. The project was granted approval with conditions on all requested variances during the April 19th BZA meeting. The updated site plan was accepted at the June 6th Planning Board meeting.

Planning Board Resolution No. 2023-004

A Resolution of Final Site Plan Approval of the Klankowski Tram Located at 1375 Taughannock Boulevard, Town of Ulysses, Tax Parcel 28.-1-5

WHEREAS, the Planning Board finds the following:

1. The proposed action is in consideration of an application for site plan review submitted by Shawn Ritchie, FLX Tram, applicant and representative of Karl Klankowski, owner, for property located at 1375 Taughannock Boulevard, Tax Parcel 28.-1-5, and which is approximately .67 acres in size; and
2. The subject lot is zoned LS: Lakeshore zone and the proposed new construction is located within the Ro: Rock Outcrop steep slope overlay; and
3. The request is to construct an 80' tram from the upper portion of the lot to the lower level of the lot above the shoreline of Cayuga Lake; and
4. The Board of Zoning Appeals conducted a public hearing on April 19, 2023 to consider three area variances to reduce the setback buffer of the intermittent stream, to reduce the setback buffer from the lake, and to reduce the front setback from the lake; and
5. The Board of Zoning Appeals granted all three area variances with two conditions; one, that the existing wood stairs will be removed within 6 months of installation of the tram without damage to the trees to the north of the stairs; and two, the setbacks from the lake line and from the front yard line will be 12 feet; and
6. The action is a Type II action under the Code, Rules, and Regulations of the State of New York Title 6, Part 617 (SEQR), Section 5.c.12 "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density" and requires no further review; and
7. The action does not require 239 review, per the Inter-Governmental Agreement made with Tompkins County 24 November 2003; and
8. The notice of the public meeting was posted on the Town's Public Legal Notice Board, was posted on the Town's webpage, was posted on the subject site, and was mailed to property owners within a 500-foot radius of the subject property; and
9. The Planning Board on June 20, 2023, has reviewed and accepted as adequate a site plan map entitled "Klankowski Tram Site Plan", prepared by Finger Lakes Tram LLC, dated May 25, 2023, and other application materials; and
10. The Planning Board considered the review criteria listed in The Code of the Town of Ulysses, Chapter 212 Zoning, Section 19.E.2 against the proposed site plan as applicable; and
11. The Planning Board has determined that the applicant is in compliance with all other applicable provisions of the Zoning Code and other ordinances as applicable; and

12. The project is sited and designed so as to be harmonious with the surrounding area and not interfere with the development, use, and enjoyment of adjacent property; and
13. The project will ensure safe and efficient access for all site users, including pedestrians, cyclists, transit passengers, the mobility impaired, and motor vehicles, as applicable; and
14. The project will provide for the adequate protection of significant natural, cultural, heritage, and scenic assets on or near the site.

NOW, THEREFORE, THE PLANNING BOARD RESOLVES THE FOLLOWING:

The Planning Board hereby grants Site Plan Approval for the proposed site plan as described above, and as shown on the site plan noted above, subject to the following condition:

Condition of Approval

1. The existing wood stairs will be removed within 6 months of installation of the tram, without damage to the trees to the north of the stairs.

Motion: Klein made a motion to approve Planning Board Resolution No. 2023-004; Liddle seconded.

Vote: Liddle, aye; Klein, aye; Bishop, aye; and Chair Angie, aye.

Motion Carried.

Chair Angie notified Klankowski that the approval will be sent. Tygesen verified a building permit will still be needed to complete the approved project.

MNSUB2304-01: SHH Properties, LLC 2 Lot Land Division

Public Hearing

The applicant has proposed a minor subdivision for the subject site, dividing the existing 103.52-acre lot into two lots: one new parcel, 'Parcel 1', approximately 2.51 acres in area is proposed, and approximately 1.38 acres is proposed to be conveyed to parcel 26.-1-5.3. The A/R zone requires a minimum lot area of 2 acres, 200 feet of lot depth, and 400 feet of lot width at the front property line per Ulysses Town Code (UTC) 212-29. Flag lots are permitted in the A/R zone per UTC 212-29.M subject to the standards listed in UTC 212-130.

Scott Sherwood explained the purpose of the project is to allow his son Hunter to build a house on the land that is proposed to be subdivided.

The Board noted that the proposed new lot meets flag lot requirements as defined by Ulysses Town Code. Sherwood brought a new map of the entire property and provided photos showing the location of the wetlands.

No members of the public had comments regarding this proposal. The Board reviewed the short EAF and had no concerns.

Planning Board Resolution No. 2023-005

A Resolution of SEQR Determination for the SHH Properties LLC 2 Lot Land Division Located at 2271 Kraft Road, Town of Ulysses, Tax Parcel 26.-1-5.2

WHEREAS, the Planning Board finds the following:

1. The proposed action is in consideration of a minor subdivision of a parcel located at 2271 Kraft Road, Town of Ulysses, Tax Parcel 26.-1-5.2, zoned DD1: Spruce Row Campsite and A/R: Agricultural/Rural Zone; and
2. The existing parcel of 103.52 acres will be subdivided into two lots; Parcel 'A' will be 98.163 acres, and Parcel 'B' will be 5.357 acres with no development proposed at this time; and
3. The proposal is an Unlisted Action under SEQR for which the Town of Ulysses Planning Board is the lead agency in the environmental review; and
4. The Planning Board on June 20, 2023, has reviewed and accepted as adequate a subdivision map entitled "Final Minor Subdivision Showing Portion of Lands of SHH Properties, LLC Located South of Kraft Road Town of Ulysses Tompkins County New York", prepared by T.G. Miller, P.C., dated April 19, 2023, revised June 6, 2023, and other application materials; and
5. The proposal should not negatively impact the character of the neighborhood or the DD1 or A/R zones; and
6. The proposal should have minimal impacts to traffic along Kraft Road; and
7. The proposal should not negatively impact natural or water resources; and
8. Town planning staff has recommended a negative determination of environmental significance with respect to the proposed Subdivision Approval.

NOW, THEREFORE, THE PLANNING BOARD RESOLVES THE FOLLOWING:

That the Town of Ulysses Planning Board hereby makes a negative determination of environmental significance in accordance with Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617 New York State Environmental Quality Review for the above referenced action as proposed, based on the information in the Short Environmental Assessment Form, and, therefore, an Environmental Impact Statement will not be required.

Motion: Liddle made a motion to approve Planning Board Resolution No. 2023-005; Klein seconded.

Vote: Liddle, aye; Klein, aye; Bishop, aye; and Chair Angie, aye.

Motion Carried.

Planning Board Resolution No. 2023-006

A Resolution of Final Subdivision Approval of the SHH Properties LLC 2 Lot Land Division Located at 2271 Kraft Road, Town of Ulysses, Tax Parcel 26.-1-5.2

WHEREAS, the Planning Board finds the following:

1. The proposed action is in consideration of a minor subdivision of a parcel located at 2271 Kraft Road, Town of Ulysses, Tax Parcel 26.-1-5.2, zoned DD1: Spruce Row Campsite and A/R: Agricultural/Rural Zone; and
2. The existing parcel of 103.52 acres will be subdivided into two lots; Parcel 'A' will be 98.163 acres, and Parcel 'B' will be 5.357 acres with no development proposed at this time; and
3. This is an Unlisted Action for which the Town of Ulysses Planning Board, as lead agency in the environmental review with respect to the project, has on June 20, 2023, made a negative determination of environmental significance, after having reviewed and accepted as adequate a Short Environmental Assessment Form; and
4. The action does not require 239 review, per the Inter-Governmental Agreement made with Tompkins County 24 November 2003; and
5. Notice of the public hearing was published in the Ithaca Journal on June 14, 2023, was posted on the Town's Public Legal Notice Board, was posted on the Town's webpage, was posted on the subject site, and was mailed to property owners within a 500-foot radius of the subject property; and
6. The Planning Board on June 20, 2023, has reviewed and accepted as adequate a subdivision map entitled " Final Minor Subdivision Showing Portion of Lands of SHH Properties, LLC Located South of Kraft Road Town of Ulysses Tompkins County New York", prepared by T.G. Miller, P.C., dated April 19, 2023, revised June 6, 2023, and other application materials; and
7. The lots shown on said plat do comply with zoning requirements and are in compliance with all other applicable provisions of the Zoning Code and other ordinances as applicable; and
8. The lands shown on the plat are of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, drainage or other menace to neighboring properties or the public health, safety and welfare.

NOW, THEREFORE, THE PLANNING BOARD RESOLVES THE FOLLOWING:

The Planning Board hereby grants Final Subdivision Approval for the proposed minor subdivision as described above, and as shown on the subdivision map noted above.

Motion: Klein made a motion to approve Planning Board Resolution No. 2023-006; Liddle seconded.

Vote: Liddle, aye; Klein, aye; Bishop, aye; and Chair Angie, aye.

Motion Carried.

MNSUB2304-003: Waterburg Heights, LLC 2 Lot Land Division

Public Hearing

The applicant and property owner, Kyle Koskinen – Waterburg Heights, LLC, applied for a minor subdivision for the subject site to subdivide the existing 114.28-acre vacant lot into two lots; ‘Parcel A’ approximately 83.25 acres, and ‘Parcel B’ approximately 31.026 acres. The A/R zone requires a minimum lot area of 2 acres, 200 feet of lot depth, and 400 feet of lot width at the front property line per Ulysses Town Code (UTC) 212-29.

Board members had no questions for Koskinen. No members of the public commented on the proposal. The Board reviewed the short EAF and had no concerns.

Planning Board Resolution No. 2023-007

A Resolution of SEQR Determination for the Waterburg Heights, LLC 2 Lot Land Division Located at 7XXX Perry City Road, Town of Ulysses, Tax Parcel 36.-2-1

WHEREAS, the Planning Board finds the following:

1. The proposed action is in consideration of a minor subdivision of a parcel located on a vacant parcel generally located at 7XXX Perry City Road, Town of Ulysses, Tax Parcel 36.-2-1, zoned A/R: Agricultural/Rural Zone; and
2. The existing parcel of 114.28 acres will be subdivided into two lots; Parcel ‘A’ will be 83.25 acres, and Parcel ‘B’ will be 31.026 acres with no development proposed at this time; and
3. The proposal is an Unlisted Action under SEQR for which the Town of Ulysses Planning Board is the lead agency in the environmental review; and
4. The Planning Board on June 20, 2023, has reviewed and accepted as adequate a subdivision map entitled "Survey Map Showing Portion of Lands of Waterburg Heights, LLC Located on Perry City Road and Waterburg Road Town of Ulysses Tompkins County New York", prepared by T.G. Miller, P.C., dated April 21, 2023, and other application materials; and
5. The proposal should not negatively impact the character of the neighborhood or the A/R zones; and
6. The proposal should have minimal impacts to traffic along Perry City Road or Waterburg Road; and
7. The proposal should not negatively impact natural or water resources; and
8. Town planning staff has recommended a negative determination of environmental significance with respect to the proposed Subdivision Approval.

NOW, THEREFORE, THE PLANNING BOARD RESOLVES THE FOLLOWING:

That the Town of Ulysses Planning Board hereby makes a negative determination of environmental significance in accordance with Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617 New York State Environmental Quality Review for the above referenced action as proposed, based on the information in the Short Environmental Assessment Form, and, therefore, an Environmental Impact Statement will not be required.

Motion: Liddle made a motion to approve Planning Board Resolution No. 2023-007; Klein seconded.

Vote: Liddle, aye; Klein, aye; Bishop, aye, and Chair Angie, aye.

Motion Carried.

Planning Board Resolution No. 2023-008

A Resolution of Final Subdivision Approval of the Waterburg Heights, LLC 2 Lot Land Division Located at 7XXX Perry City Road, Town of Ulysses, Tax Parcel 36.-2-1

WHEREAS, the Planning Board finds the following:

1. The proposed action is in consideration of a minor subdivision of a parcel located on a vacant parcel generally located at 7XXX Perry City Road, Town of Ulysses, Tax Parcel 36.-2-1, zoned A/R: Agricultural/Rural Zone; and
2. The existing parcel of 114.28 acres will be subdivided into two lots; Parcel 'A' will be 83.25 acres, and Parcel 'B' will be 31.026 acres with no development proposed at this time; and
3. This is an Unlisted Action for which the Town of Ulysses Planning Board, as lead agency in the environmental review with respect to the project, has on June 20, 2023, made a negative determination of environmental significance, after having reviewed and accepted as adequate a Short Environmental Assessment Form; and
4. The action does not require 239 review, per the Inter-Governmental Agreement made with Tompkins County 24 November 2003; and
5. Notice of the public hearing was published in the Ithaca Journal on June 14, 2023, was posted on the Town's Public Legal Notice Board, was posted on the Town's webpage, was posted on the subject site, and was mailed to property owners within a 500-foot radius of the subject property; and
6. The Planning Board on June 20, 2023, has reviewed and accepted as adequate a subdivision map entitled "Survey Map Showing Portion of Lands of Waterburg Heights, LLC Located on Perry City Road and Waterburg Road Town of Ulysses Tompkins County New York", prepared by T.G. Miller, P.C., dated April 21, 2023, and other application materials; and
7. The lots shown on said plat do comply with zoning requirements and are in compliance with all other applicable provisions of the Zoning Code and other ordinances as applicable; and
8. The lands shown on the plat are of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, drainage or other menace to neighboring properties or the public health, safety and welfare.

NOW, THEREFORE, THE PLANNING BOARD RESOLVES THE FOLLOWING:

The Planning Board hereby grants Final Subdivision Approval for the proposed minor subdivision as described above, and as shown on the subdivision map noted above.

Motion: Klein made a motion to approve Planning Board Resolution No. 2023-008; Liddle seconded the motion.

Vote: Liddle, aye; Klein, aye; Bishop, aye; and Chair Angie, aye.
Motion Carried.

Town Board Liaison Report

No Town Board members were present at the meeting.

Chair Angie notified Board members that Elizabeth Garner has resigned from the Planning Board.

Motion: Klein made a motion to adjourn the meeting; Liddle seconded the motion.

Vote: Liddle, aye; Klein, aye; Bishop, aye, and Chair Angie, aye.

Motion Carried.

ADJOURNED 7:20 PM

A handwritten signature in black ink, appearing to read 'Mollie Duell', is written over a horizontal line.

Mollie Duell
Planning Board Secretary