

**Planning Board  
Zoom Hybrid Meeting  
Meeting Minutes  
October 17, 2023  
Approved: November 7, 2023**

**Board Members Present:** Chair Pete Angie, Linda Liddle, Bart Gragg, Karl Klankowski, Mo Klein, Rebecca Schneider

**Quorum Present**

**Applicants Present:** Erik Whitney, Devon Van Noble, Cheryl Thompson, Jeff Fredrickson, Tom Palmer

**Town Board Members Present:** Rich Goldman

**Town Staff Present:** Niels Tygesen, Mollie Duell

**Members of the Public Present:** Brian Crandall

**Proceedings**

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

**Approval of Agenda**

Schneider added an item to the agenda, discussing limits on the subdivision of parent tracts in the Lakeshore and Conservation Zones.

**Motion:** Klein made a motion to approve the amended agenda; Liddle seconded.

**Vote:** Gragg, aye; Klein, aye; Liddle, aye; Schneider, aye; Chair Angie, aye.

**Motion Carried.**

**Approval of Past Minutes**

**Motion:** Klein made a motion to approve the October 3 Planning Board meeting minutes as written; Liddle seconded.

**Vote:** Klein, aye; Liddle, aye; Schneider, aye; Gragg, aye; Chair Angie, aye.

**Motion Carried.**

**Privilege of the Floor**

No members of the public addressed the Board pertaining to items not on the agenda.

**Old Business Items**

**MNSUB2308-02: Gales 2 Lot Land Division, Final Plat Review, Public Hearing**

The applicant, Kim Gales, on behalf of the property owners, Patricia Chaffie and Robin Woodard, applied for a minor subdivision for the subject site to subdivide the existing 8.06 acre lot into two lots; 'Parcel A', approximately 1.43 acres, and 'Parcel B', approximately 6.63 acres. The R zone requires a minimum lot area of 32,000sf for areas where public water or sewer service is available, 200 feet of lot depth, and 160 feet of lot width at the front property line per the Code of the Town of Ulysses (CTU) [212-40](#). Flag lots are permitted in the R zone per CTU [212-40.M](#) subject to the standards listed in CTU [212-130](#). The 'flag' portion of the flag lot is required to comply with the lot dimensional requirements of the R zone, and the 'pole' portion of the flag lot is required to have a minimum width of 50 feet and a minimum length of 100 feet.

Erik Whitney, a friend of Gales, noted the family intends to build a new home to live as neighbors when the subdivision is complete.

**Motion:** Schneider made a motion to open the public hearing; Liddle seconded.

**Vote:** Gragg, aye; Klein, aye; Liddle, aye; Schneider, aye; Chair Angie, aye.

**Motion Carried.**

No members of the public offered comments on the proposed subdivision.

The Planning Board assessed SEQR review.

**Motion:** Schneider made a motion to approve [Planning Board Resolution 2023-021, Resolution of SEQR Determination for the Gales 2 Lot Land Division Located at 40XX Jacksonville Road, Town of Ulysses, Tax Parcel 26.-3-11.3](#); Liddle seconded.

**Vote:** Gragg, aye; Klein, aye; Liddle, aye; Schneider, aye; Chair Angie, aye.

**Motion Carried.**

**Motion:** Liddle made a motion to close the public hearing; Schneider seconded.

**Vote:** Gragg, aye; Klein, aye; Liddle, aye; Schneider, aye; Chair Angie, aye.

**Motion Carried.**

**Motion:** Liddle made a motion to approve [Planning Board Resolution 2023-022, A Resolution of Final Subdivision Approval of the Gales 2 Lot Land Division Located at 40XX Jacksonville Road, Town of Ulysses, Tax Parcel 26.-3-11.3](#); Klein seconded.

**Vote:** Gragg, aye; Klein, aye; Liddle, aye; Schneider, aye; Chair Angie, aye.

**Motion Carried.**

### **New Business Items**

#### **SPR2309-01: DD3 Van Noble Smokehouse Project, Sketch Plan/Sketch Plat Review**

Devon Van Noble proposes to construct a new building approximately in the same footprint as the existing building located on-site for use as a restaurant. The development standards for the subject site's zoning, DD3, created May 8, 1979, is listed in the Code of the Town of Ulysses (CTU) [212-118.C](#), and permits restaurant uses. The applicant has also proposed a minor subdivision to create a new lot, approximately 2.9 acres, and retain an existing mobile home on the new lot. Portions of the site are impacted by a perennial stream and its associated buffer, local wetlands and their associated buffers, and is within a FEMA designated flood zone.

Devon Van Noble described the operations of his farm, Van Noble Farm, launched in 2012 and located in the Town of Enfield.

Van Noble noted that the farm has worked with The Piggery in Ithaca and currently maintains a catering operation, with customers spreading from Canandaigua to Syracuse, and into Pennsylvania.

Van Noble described the intentions and growth goals for his company by acquiring Development District 3, which was historically a bar; a mobile home is also on the property.

Van Noble showed the architectural plans for the proposed structure, which would consist of a fully functioning meat processing operation and a retail space open to the public. The facility would serve all operations of the company.

Van Noble stated that a small-scale food service was planned within the retail space, with hopes to grow into a 5 day a week operation in the future.

Liddle asked what would be decided by the Board of Health versus the Planning Board.

Van Noble stated that the company currently has a food service establishment permit from the Department of Health, because 50% or more gross revenue is from hot food sales; if more than 50% of revenue came from packaged products, the permit would be from Ag and Markets. Van Noble noted the long term goal of the company is to become a USDA licensed processor.

Cheryl Thompson, architect for the proposal, noted no slaughtering will take place at the site.

Van Noble briefly explained the processing timeline, which does not include slaughtering. Carcasses would be delivered at the proposed building after being slaughtered at a facility in Penn Yan.

The Board discussed the proposal and what involvement will be needed from the Town Board.

Van Noble agreed that the future goals of the business will differ significantly from the past use on the site.

Chair Angie stated that it sounds like the Town Board will need to review the application due to the size of the operation.

Van Noble added that developing an outdoor entertainment program is also under consideration.

Van Noble explained that there would not be a mobile home on the site in the future, and this piece of the parcel is planned to be subdivided.

Schneider asked for details about stormwater plans.

Van Noble asked if an engineered stormwater plan would be required; Schneider responded it was important to know if enough space would be available to develop a stormwater plan, but a finalized plan would not be required yet.

Chair Angie asked about parking, noting a tent accommodating event guests may require additional space.

Van Noble stated that he believes there will be enough space for parking and described the rough location where parking is currently proposed; additionally, some overflow parking plans are under development.

Chair Angie reminded Van Noble to verify that stream buffers are not being impacted.

Van Noble asked if permission could be granted from New York State to allow parking in the right of way.

Schneider said she is not sure if this has been done before.

Van Noble responded that parking would be further considered and a precise number of needed spaces will be determined.

Chair Angie noted the county has not yet returned comments for the 239 review and described some examples of feedback that may be provided, such as lighting limitations.

Discussion ensued about the appearance of the architecture of the building.

Discussion ensued about the details of what occurs in production.

Schneider asked how waste would be dealt with.

Van Noble described the challenges of waste management, adding that a professional company will not remove their waste since their operation is too small.

Klein noted wildlife would be interested in animal waste in dumpsters.

Van Noble stated that the dumpsters would be emptied frequently to avoid issues.

Goldman noted that because the zone is a Development District, the Town Board will need to be involved, but suggested that the proposal would soon return to the Planning Board when review of specific issues is needed.

Chair Angie asked about trucks accessing the site.

Van Noble explained that produce is delivered 2-3 times in the busy season, and a truck comes once a month for pigs.

Klein noted that the tractor trailers will need to be able to pull into the parking lot before backing into the loading docks; New York State does not allow trucks to back in directly off of Route 96.

Liddle noted that utilizing the existing building meets the goals of the Comprehensive Plan. Schneider asked about the FEMA flood zone on the site in comparison with the proposed development location.

The Board reviewed the flood maps with Van Noble and Thompson.

Gragg asked if the retail store would include a restaurant.

Van Noble replied that the food service and retail operation would be operating in the same space.

The Board discussed landscaping with Van Noble and Thompson.

Klein suggested Van Noble should review CTU [212-121](#) when considering parking designs.

**Motion:** Klein made a motion to send the proposal to the Town Board for a zoning amendment that would include restaurant, butchering, catering, events, and retail in development district 3; Liddle seconded.

**Vote:** Klein, aye; Liddle, aye; Schneider, aye; Gragg, aye; Chair Angie, aye.

**Motion Carried.**

Van Noble asked what effect subdividing would have on the divided parcel's zone.

Tygesen stated that it is unclear, but the Town Board could make a direction that the newly subdivided lot return to the AR zone.

Schneider asked if creating a residential lot directly next door would be ideal, noting the operations of the business could be disturbing.

Van Noble replied that the existing residential structure is distant from where the business would be, and added that family would probably live here.

**Motion:** Klein made a motion to send the proposed subdivision to the Town Board for rezoning to the AR Zone; Gragg seconded.

**Vote:** Klein, aye; Liddle, aye; Schneider, aye; Gragg, aye; Chair Angie, aye.

**Motion Carried.**

Goldman, Tygesen, and the Planning Board briefly discussed the roles and responsibilities of the Planning Board and the Town Board when considering the proposal within the development district.

### **SPR2310-01: Palmer Garage, Sketch Plan Review**

The applicant, Jeff Fredrickson, on behalf of the owner, Tom Palmer, proposes to construct a new 576sf detached accessory building for use as a garage. Per the Code of the Town of Ulysses [CTU 212-43](#), accessory buildings associated with single-family residences are permitted in the LS zone, but require site plan review when within a slope overlay area, pursuant to the provisions listed under [CTU 212-19](#).

Jeff Fredrickson of Crown Construction shared pictures of the site where the garage is proposed to be built.

Liddle noted that she visited the site and could see that the area of the slope where the garage would be built is relatively flat.

Fredrickson described the site, noting there is only grass in the space where the garage is proposed to be built.

Fredrickson described the stormwater plans, which include drainage being directed toward the existing ditch near the site.

Schneider noted it appears that small number of trees have been removed and asked if more removal was planned; Fredrickson replied no.

Schneider spoke about the lack of awareness of restrictions in the slope overlay area that spreads through the Lakeshore and Conservation zones. Trees should not be removed without permission from the town since improper removal of trees can critically destabilize the structure of the slope and create hazardous conditions.

Discussion ensued over stormwater management plans.

Schneider suggested adding a micro pool to assist in managing stormwater.

Klein suggested adding a dry well or a French drain.

The Board discussed further details they would like to see for the proposal, including a topographical map, a solution for silt mitigation during construction, and a design to intercept water before it reaches the lake.

The Planning Board agreed a public hearing would not be required. The finalized stormwater plan will be reviewed on November 7 Planning Board meeting.

### **Discussion Pertaining to Limitations on Subdivision of Parent Tracts**

Schneider read CTU [212-49](#):

Any tract or parcel of land in common contiguous ownership at the time of the creation of this zone on December 17, 2013, subject to other normally applicable subdivision laws and regulations, may be subdivided to create up to and not more than three lots.

This rule also applies to the Conservation zone, described in CTU [212-55.F](#).

Schneider suggested using GIS to keep track of what has been done on parcels.

Schneider suggested adding deed restrictions to clearly notify residents about any limitations on parcels.

Tygesen noted that past subdivisions can be researched by the Planning department.

### **Town Board Liaison Report**

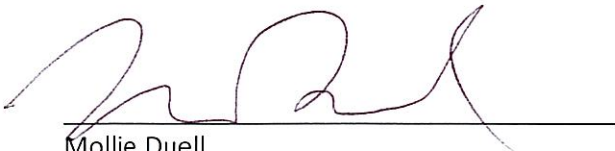
Goldman thanked the Planning Board for comments about the Inn at Taughannock Development District proposal, noting the Town Board has not made a final decision.

**Motion:** Klein made a motion to adjourn; Gragg seconded.

**Vote:** Klein, aye; Liddle, aye; Schneider, aye; Gragg, aye; Chair Angie, aye.

**Motion Carried.**

ADJOURNED 8:37 PM



Mollie Duell  
Planning Board Secretary