



**Planning Board
Zoom Hybrid Meeting
Meeting Minutes
December 5, 2023
Approved: December 19, 2023**

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

Board Members Absent: Bart Gragg

Quorum Present

Applicants Present: John-Michael Burruss, Charles Guttman

Town Board Members Present: Rich Goldman, Michael Boggs

Town Staff Present: Niels Tygesen, Mollie Duell

Members of the Public Present: Doris Marion

Proceedings

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

Motion: Klein made a motion to appoint Klankowski as a voting member for the duration of the meeting; Schneider seconded.

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

Motion Carried.

Approval of Agenda

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

Vote: Klankowski, aye; Klein, aye; Liddle, aye; Schneider, aye; Chair Angie, aye.

Motion Carried.

Approval of Past Minutes

Motion: Klein made a motion to approve the November 21 Planning Board meeting minutes as written; Liddle seconded.

Vote: Klankowski, aye; Klein, aye; Liddle, aye; Schneider, abstain; 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

MNSUB2310-03: Burruss 2 Lot Land Division, Sketch Plat Review

The applicant and property owner, John-Michael Burruss, applied for a minor subdivision for the subject site to subdivide the existing 12.15 acre lot into two lots. The CZ zone requires a minimum lot area of 5 acres, 450 feet of lot depth, and 400 feet of lot width at the front lot line per the Code of the Town of Ulysses ([CTU 212-54](#)). Flag lots are permitted in the CZ zone per [CTU 212-54.K](#), subject to the requirements of [CTU 212-130](#) which requires the pole(s) of the lot(s) to have a minimum width of 50 feet and a minimum depth of 100', and permits a parcel to be subdivided into no more than two flag lots.

The Planning Board previously reviewed the application at the November 21st meeting.

Chair Angie noted a map showing further details about wetlands and parcel boundaries was requested

and has not yet been provided.

Burruss stated he was unable to provide a delineated survey map yet due to lack of time from the surveyor.

Burruss noted the only wetland he is aware of is the creek in the northern parcel.

The Planning Board discussed clarifications that would be needed on the survey map, including a clear marking of the stream and a survey line showing the precise division of the parcel.

Klein asked for details about the shared driveway going through the parcel.

Burruss responded that this is an existing private drive shared and maintained by neighbors, ending at the neighboring property to the west.

Schneider asked about the final minor subdivision labeling.

Tygesen explained the title of the map as a 'Final Plat' is a state requirement for the Board's final decision on the proposal and for recording purposes. The title 'Final Plat' does not prevent the property owner from subdividing the land in the future provided the proposal complies with all codes and laws applicable at that time.

The Planning Board agreed that enough information has been provided to provide comments to the BZA.

Discussion ensued over lot frontage requirements.

Schneider explained that the 400-foot frontage requirement is the best measure to preserve open space.

Liddle noted the parcel is already limited by the 2-flag lot per parcel rule.

Burruss stated that connecting to the existing driveway is seen as a better plan financially than using the proposed flagpole as a driveway. There are no plans to have a driveway connecting the parcel to Route 89 through the flagpole.

Tygesen stated there are no requirements for flag lots to use the pole for access.

Schneider noted the deed will need to support driveway access to the new parcel.

Chair Angie mentioned there is a possibility that a future owner may have different plans for accessing the property.

Tygesen suggested creating a condition for final subdivision approval that would restrict access through the flagpole.

Klein asked why the south side division boundary does not follow the private driveway.

Burruss explained there was already a well drilled in this location, and the proposed division will allow the well to remain on his property.

Schneider noted that the well and septic locations should be clearly indicated on the map.

Burruss stated the septic system is on the south side of the driveway, about 200 feet from the well.

Chair Angie spoke about the recommendations that will be forwarded to the BZA, explaining that the main concern is the increase in density by lowering lot frontage requirement, and considerations should be given to points of access.

Schneider noted that the maps provided do not include well location and parcel boundaries, which could present new information.

Tygesen agreed to draft a written recommendation to the BZA based on the Planning Board's comments.

Tygesen suggested that a coordinated review by both the BZA and Planning Board may be required.

Motion: Klein made a motion to declare the Planning Board’s intent to act as lead agency for SEQR and to direct staff to give due notice; Schneider seconded.

Vote: Klankowski, aye; Klein, aye; Liddle, aye; Schneider, aye; Chair Angie, aye.

Motion Carried.

Motion: Klein made a motion to amend the agenda, to move the Bennett minor subdivision proposal as the next agenda item; Klankowski seconded.

Vote: Klankowski, aye; Klein, aye; Liddle, aye; Schneider, aye; Chair Angie, aye.

Motion Carried.

New Business Items

MNSUB2310-05: Bennett 2 Lot Land Division, Sketch Plat Review

The applicant, Charles Guttman, on behalf of the property owners, Marcie Bennett-Gray and Thomas Bennett Jr., applied for a minor subdivision for the subject site to subdivide the existing 1.56 acre lot into two lots. The R zone requires a minimum lot area of 32,000 square feet for lots with public water, 200 feet of lot depth, and 160 feet of lot width at the front lot line per the Code of the Town of Ulysses (CTU) [212-40](#). The subject lot is in ownership with an adjacent lot located in the Village of Trumansburg. If both parcels were located within the Town, the request would be a simple lot line adjustment to move the position of the diagonal lot line to the proposed vertical lot line. However, given that the property is split between the two jurisdictions, the only two options available are a set of annexations by both the Town and the Village, or a set of area variances and minor subdivision approvals by both municipalities ([proposal assessment](#)). Given the complexity and political nature of annexations, the applicant has moved forward with a minor subdivision request and associated area variances with the Board of Zoning Appeals (BZA).

Guttman stated that the county assessment department does not have a problem with multiple tax parcels being created. Gutman explained proposed Parcel B is planned to be sold to the Dews, who are neighbors on the opposite side of Ploss Lane, a private street. Guttman noted access for proposed Parcel A is on South St.

Liddle asked if proposed Parcel B would be buildable.

Tygesen responded yes.

Schneider asked how the private drive is maintained.

Guttman responded this is up to the owners to organize.

Klein noted the drive is only 12 feet wide.

Chair Angie noted comments will need to be provided for the BZA for the five variances that will be required.

Schneider asked why a change to the municipal boundary line would not be a viable solution.

Guttman explained although it would make more sense, altering the municipal line that divides the Town of Ulysses and the Village of Trumansburg would be more complicated, not easier.

Guttman stated any solution would end with the garage located in both the town and village.

Guttman explained the proposed division line between Parcel A and B was chosen because it extends to the north from the west line of the Dew Property.

Chair Angie asked why extra maps had been included in the application.

Guttman responded there was no reason other than providing as much information as they had.

Klein stated his only concern is verifying the properties further down Ploss Lane will maintain rights to access the private drive.

Chair Angie asked for a map showing topographical and wetland information.

Motion: Schneider made a motion to declare the Planning Board's intent to act as lead agency for SEQR and to direct staff to give due notice; Klein seconded.

Vote: Klankowski, aye; Klein, aye; Liddle, aye; Schneider, aye; Chair Angie, aye.

Motion Carried.

Old Business Items, Continued

ZCA2311-01: DD3 Van Noble Smokehouse Project

Devon Van Noble proposes to construct a new building approximately in the same footprint as the existing building located on-site and has proposed a minor subdivision. The development standards for the subject site's zoning, DD3, are listed in the Code of the Town of Ulysess ([CTU 212-118.C](#)), but are a minimal and limited to permitted uses. The proposal will require an amendment to the Zoning Code.

The applicant was not present at the meeting.

Tygesen stated the Town Board unanimously determined the proposal merits further consideration and referred the matter to the Planning Board to continue the review of the proposal, assess amendments to the zoning code, and develop a recommendation to the Town Board.

Klein noted Van Noble is seeking a 20-C license for processing, and slaughtering is not planned for the site.

Chair Angie asked if there are funds for external review to get insight from an expert.

Klein suggested that there may be options through Cornell.

Schneider summarized the discussion about development districts that took place at the Town Board meeting on November 28th.

An issue is that inactive development districts have not been rezoned. The Town Board agreed that the location is good for the proposal. The question is whether the existing development district should be reformed or dissolved, with a new development district created to replace it.

The Town Board asked for suggestions on a new set of regulations from the Planning Board.

Klankowski suggested beginning with the regulations in the B1 Business zone and adjusting them as needed.

The Board discussed the scope of the proposed operations at the business, which includes up to 50% buttering and processing, and some restaurant space.

Goldman noted the question about what to do with inactive development districts.

Schneider stated the business proposal is professional and fits the objectives of the comp plan.

Chair Angie agreed it is the type of business the town wants to support, agreeing that comp plan objectives are being met.

Schneider stated that the Planning Board is leaning toward the parcel maintaining development district zoning.

Klankowski noted the location has enough room to meet business zone setbacks as planned.

Chair Angie agreed business zone standards would be a good starting point.

Goldman stated having a development district will allow for adjustments.

Liddle noted the old district regulations focus too much on trailers.

Klankowski spoke about the proposed subdivision of the parcel and suggested adjusting the width of the proposed lot to 400 feet to comply with the A/R lot size regulations.

Klankowski read the regulations about the maintenance of the trailers on the site.

Marion stated that both existing dilapidated mobile homes will be removed from the property.

Discussion continued about frontage and mobile homes.

The Board agreed to discuss the proposal further on December 19th.

Boggs stated that development district zoning still needs to be tightened up, suggesting other inactive development districts should be reviewed in the near future.

Chair Angie suggested unused districts present opportunities to attract businesses that reflect comp plan.

2024 Schedule and Board Membership

Chair Angie noted his term as Chair of the Planning Board will expire at the end of 2023, and that Schneider's and Klankowski's memberships will also expire.

The Board discussed the meeting schedule for 2024, discussed members appointments, and recommended both Schneider and Klankowski be reappointed.

Motion: Schneider made a motion to approve [Planning Board Resolution 2023-026, a Resolution Adopting the Regularly Scheduled Meetings for 2024](#); Liddle seconded.

Vote: Klankowski, aye; Klein, aye; Liddle, aye; Schneider, aye; Chair Angie, aye.

Motion Carried.

Motion: Klein made a motion to approve [Planning Board Resolutions 2023-027, a Resolution Recommending Pete Angie as Chair of the Planning Board for 2024](#); Schneider seconded.

Vote: Klankowski, aye; Klein, aye; Liddle, aye; Schneider, aye; Chair Angie, abstain.

Motion Carried.

Town Board Liaison Report

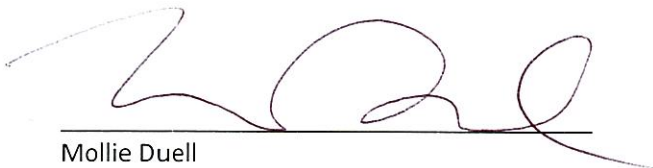
Goldman thanked the Board for their work and stated there are no further updates.

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

Vote: Schneider, aye; Klankowski, aye; Klein, aye; Liddle, aye; Chair Angie, aye.

Motion Carried.

ADJOURNED 8:19 PM



Mollie Duell
Planning Board Secretary