



**Planning Board  
Zoom Hybrid Meeting  
Meeting Minutes  
December 19, 2023  
Approved: January 16, 2024**

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

**Quorum Present**

**Applicants Present:** Devon Van Noble, Cheryl Thompson

**Town Board Members Present:** Rich Goldman, Michael Boggs

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

**Members of the Public on Zoom:** Charlie Wolff

**Proceedings**

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

**Approval of Agenda**

Chair Angie added two items to the agenda. New information from Crystal Buck warranted a follow-up discussion about a potential addition to the ag district. A brief review of outstanding board member training requirements was also added.

**Motion:** Gragg 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:** Liddle made a motion to approve the December 5 Planning Board meeting minutes as written; Klein seconded.

**Vote:** Gragg, aye; Klein, aye; Liddle, aye; Schneider, 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**

**Ag District Review**

The Planning Board previously discussed the agricultural district during the November 21 and December 5 meetings. Board members agreed that certain parcels that had been presented as candidates for addition to the district should be removed from consideration, due to their locations in areas that present risks to the surrounding natural environment, especially the health of Cayuga Lake. After thorough discussion in the two prior meetings, it was determined that the benefits to the landowners are outweighed by the potential negative environmental consequences.

Chair Angie stated that after the determination, Crystal Buck reported that the landowner of the parcel at 1618 Taughannock Boulevard would like to be added to the ag district. During the December 5 meeting, the Planning Board agreed that the parcel should not be in the ag district due to its location in the Conservation Zone (CZ).

Chair Angie noted that the land is under contract with the Conservation Reserve Enhancement Program

(CREP). There would be a penalty for leaving the program prior to contract expiration. Some of the goals of the program include water quality and wildlife conservation.

The Board discussed possible future scenarios that could unfold.

Liddle asked what would happen if the land were sold. Klein responded that this would be the same as contract termination, and there are no plans to sell.

Chair Angie suggested it would be disruptive to add the land to the district temporarily.

Liddle asked what the benefits of being in the ag district are, noting that the owners already receive agricultural assessment, and the only imaginable benefit would be relaxed zoning regulations. If someone in the ag district wants to construct a building, they do not need to adhere to all requirements in the Ulysses zoning code.

Gragg noted that although the current intent is clear, the question remains of what precedent could be set by allowing a parcel in the CZ to join the ag district.

The Board discussed other possible benefits of being in the ag district, including boosted property value; Tygesen mentioned notification disclaimers for properties within the ag district during property sales.

Discussion ensued over how a hypothetical subdivision would affect the status of the district.

Gragg mentioned that the owners are also getting financial benefits through the CREP program.

The Planning Board agreed that relaxed building regulations is the only obvious benefit for addition to the district.

Chair Angie mentioned that protection from nuisance lawsuits is also a benefit of the district.

Klankowski spoke about possible counter arguments to keeping the parcel out of the district. First, Klankowski noted that the land is already cleared, and the request would be entirely different if the owners were proposing cutting down an existing forest.

Second, Klankowski presented the issue of possible conflicts with Comp Plan objectives. The Comp Plan describes protecting agriculture at length. Klankowski stated he understands a precedent may be set for allowing a CZ parcel into the ag district, but raised the question if long term planning is being contradicted.

Chair Angie acknowledged that the Comp Plan strongly states that protection of farmland is a priority in the town, but the relaxed building regulations are too critical to ignore due to the parcel's proximity to Cayuga Lake.

Schneider added that the CZ area is a very small portion of Ulysses, and although it may seem contradictory to prohibit something seen as a benefit to farmers, the rest of town remains open for agriculture.

Schneider stated that she will fight to protect prime soils for agriculture, but possible water quality impacts are too big of a risk to allow relaxed building in the CZ zone.

Chair Angie stated that keeping CZ regulations does not appear to negatively impact the stated goals; the farm operations include haying the land once a year.

Klankowski asked what happens if the county overrules the Board.

Chair Angie acknowledged that this is possible, and the Board is just giving their recommendation.

Schneider stated that the issue is not subjective, describing the "salami tactic". It is possible that one little piece at a time, natural areas are affected. The economic impacts to the owner will not be detrimental, and the location is not suitable for the ag district.

We are opposed to the addition of 1618 Taughannock Boulevard to the ag district on the grounds that is located within the CZ district in the Town of Ulysses which is a unique area that has protections which we do not wish to forfeit.

**Motion:** Schneider made a motion to oppose the addition of 1618 Taughannock Boulevard to the ag district on the grounds that it is located within the Conservation Zone in the Town of Ulysses, which is a unique area that has special protections which the Planning Board does not wish to forfeit; Liddle seconded.

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

**Motion Carried.**

### **2023 Board Member Training**

Tygesen reminded the Board that the 4-hour Planning Board training requirement needs to be finished by January 2.

Boggs added that state law requires this training.

### **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 Ulysses ([CTU 212-118.C](#)), but are minimal and limited to permitted uses. The proposal will require an amendment to the Zoning Code. Chair Angie noted that the Town Board met with Van Noble prior to requesting additional review from the Planning Board.

Van Noble explained the long-term future of the business would be determined as it develops, but current expectations are that in the beginning, about 75%-80% of the operations would revolve around catering and serving hot food, with the remaining 25% being butchering services. Butchering could grow to as much as 50%, but the majority will be hot food and services.

Van Noble presented a slideshow describing recent updates to plans. Permitted uses would include a restaurant, bar, butchering, and a relatively small agricultural/u-pick garden.

Van Noble described the differences between a Tompkins County Health Department permit and a USDA permit.

Elaborating on the butchering operations, Van Noble explained that the business would pursue growing wholesale of larger cuts of meat. There will never be slaughtering on site since this does not make sense financially. Carcasses have been cut, cleaned, and drained; butchering essentially means the business is breaking down large cuts of meat.

The business will apply for a TCHD license initially and pursue a USDA license later. Wholesale and CSA sales would bring the businesses more to 50-50, but growth will determine the exact proportion of operations.

Van Noble noted the business hopes to develop a U-Pick fruit operation for the experience rather than commercial production.

Chair Angie mentioned that currently restaurant use is included in Business Zone regulations, but not butchering.

Van Noble presented images including an updated site plan, a new layout, adjusted new floorplan, changes in elevation, and a change in roof pitch.

Van Noble spoke about the challenges presented by recently discovered Department of Transportation property lines. The DOT owns 12 feet beyond the right of way, creating a 47-foot setback where nothing may be changed. The driveway on site is not part of the property and cannot be touched.

Van Noble stressed that the DOT has not appeared to be open to accommodating requests to talk about possible solutions that would allow more space for the business to develop. Continuing to pursue a

change to these rules would significantly extend the project timeline and increase expenses, with the possibility that nothing will change.

Liddle asked why the setback is so much wider than other areas of Route 96.

Van Noble stated that the surveyor acknowledged that this setback is excessive, and it runs along the entire length of the property line on Route 96. Pushing development back from the right of way would introduce the issue of building in a wetland buffer area.

Van Noble explained that even a sign for the business will not be allowed in the DOT property, and the sign from the previous business was constructed illegally. Signs would have to be installed on the building and near Halseyville Road.

Van Noble stated that stormwater management concept plans are in development.

Discussion ensued over locations of wetlands, flood zones, and parking.

Chair Angie noted stormwater runoff from the parking area is a concern.

Van Noble presented preliminary renderings of the structure's interior design.

Van Noble acknowledged that noise management is a concern when events will be held and described plans for a lowered stage that would reduce the level of sound traveling away from the property.

Klein suggested looking into noise muffling curtains for tents.

The Board discussed decibel limits. Klein noted drums and bass are the main issue in noise pollution.

Van Noble noted a permit for events outside of future established allowances could be obtained if necessary.

Chair Angie spoke about the wetlands on the parcel which contribute to Taughannock Creek.

Discussion about wetlands ensued.

Van Noble noted that the proposed subdivision line has been redrawn to accommodate lot area requirements.

The Planning Board discussed possible zoning amendments.

Schneider spoke about wetlands, stating that there should be no alternative to allowed uses.

Klein stated that front yard setbacks would need to be changed.

Klankowski asked about setbacks on Halseyville Road.

Gragg responded that the front and back setbacks do not need to match.

Discussion ensued over plans for parking.

Klein noted that regulations could be made that allow parking while preventing building in a certain area.

Chair Angie asked if the surface under the proposed tent will be improved; Van Noble responded yes.

Chair Angie noted that he would like to see wetland regulations be less boilerplate and more tailored to the site.

Schneider acknowledged the presentation and planning has been thorough and professional.

Discussion continued over what would be allowed in the DOT property.

Chair Angie stated that 100-foot setbacks from wetlands are ideal.

Schneider mentioned that there are other legal issues with wetlands, such as impacting flood insurance.

Tygesen explained that not all streams in the town are within a flood plain, however the stream on this parcel is.

Chair Angie noted there are not many areas in the town that are included in FEMA flood plains.

Van Noble acknowledged his disappointment with the numerous obstacles presented by the property.

Schneider disagreed, stating that the location seems suitable for the proposal.

Chair Angie explained that better protection for wetlands and character of the neighborhood can be developed when the proposal is solidified.

The next Planning Board meeting will be on January 16.

The Planning Board discussed aesthetic plans with Van Noble, explaining ideally, they would like to approve the final design, but if minor changes that are not functional are necessary, there should not be any issues.

Schneider presented an example, such as gravel changing to pavement, which would affect stormwater runoff.

Van Noble understood that no functional changes should be made without approval.

### **Town Board Liaison Report**

Goldman acknowledged that the smokehouse proposal will return to the town board eventually, and the project seems to be on the right track.

Liddle opened discussion for developing tent regulations.

Klein stated that he has researched tent ordinances, and the main concerns are usually about fire safety. Low frequency noise from drums and bass can present health issues to sensitive individuals. Adding a permit requirement can help spread awareness of events that may cause noise issues. Penalties can be implemented, including violation fees or restrictions from holding future events.

The Board also discussed developing restrictions on fireworks.

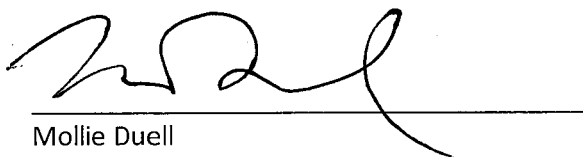
Chair Angie asked if there is an update on the Inn at Taughannock's proposal. Goldman responded that the applicants have postponed the meeting with the Town Board.

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

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

**Motion Carried.**

ADJOURNED 8:47 PM



Mollie Duell  
Planning Board Secretary