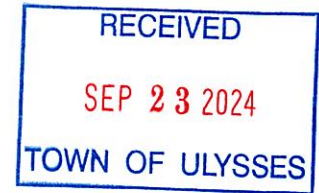




TOWN OF ULYSSES

PLANNING BOARD



PLANNING BOARD MEMO

TO: Town Board
FROM: Planning Board
DATE: September 17, 2024
MEETING DATE: October 8, 2024
SUBJECT: Proposed Zoning Code Amendment to the P/R Zone

The Planning Board met on September 17, 2024 to discuss the draft code amendment to the Code of the Town of Ulysses Chapter 212 Article XVIII related to permitted uses in the Park/Recreation Zone. After deliberation, the Planning Board recommends amending the amendment as shown below. The Board has concerns of potential unforeseen impacts of park and recreational uses on privately owned lands, and therefore recommends that park and recreation uses on lands zone Park/Recreation be permitted by right only for lands publicly owned.

111. Permitted uses.

In the PR — Park/Recreation Zone, no building or structure shall be erected, altered or extended, and no land or building thereof shall be used for any purpose or purposes other than the following:

- A. Farm operation.
- B. Public community parks, regional parks and preserves.

112. Uses permitted by special permit.

The following uses are allowed within the PR — Park/Recreation Zone upon approval of a special permit pursuant to Article III, § 212-18, upon receipt of site plan approval from the Planning Board pursuant to Article III, § 212-19, and subject to the design standards set forth in relevant sections of Article XX:

- A. Signs as regulated under Article XX, § 212-122.
- B. Seasonal campgrounds, overnight campgrounds and group campgrounds, subject to the provisions of Article XX, § 212-127.
- C. Cemeteries and the buildings and structures incidental to cemetery operations.
- D. Golf courses, except miniature golf courses operated on a commercial basis.
- E. Nature centers.
- F. Private community parks, regional parks and preserves.
- G. F. Commercial stables, subject to the provisions of Article XX, § 212-138.

Karl Klankowski
Planning Board Chair

8 Oct. Public Hearing on Salo Preserve

Town Board members,

I am Karl Klankowski. I live at 1375 Taughannock Blvd., Ithaca. I am the Chair, Town of Ulysses Planning Board.

I would like to know how the Town of Ulysses plans to deal with the non USGS 7.5 Minute Quadrangle map intermittent stream that shows up in the Mapping Tompkins – Parcel View map for the Salo Preserve (see page 1 in the Salo Preserve handout). In the GIS data, the parcel view map with stream saver sublayer turned on (page 2 of the Salo handout) shows the potential impact to the Salo Preserve. The 200 ft wide blue green area is the GIS stream with a 100 ft setback on each side of the stream. That matches the requirement in 212-115 A. - Park and Rec zoning – Buffer areas.

The reason I am bringing this question up, is that the Town of Ulysses planning department uses the mapping Tompkins parcel view maps with stream saver sublayer for their presentations in Site Analysis presentations for land use cases that come before the Planning Board or the BZA.

Our current zoning approved in December 2019, 212-22 defines streams and intermittent streams as:

STREAM INTERMITTENT - Surface water drainage channels with definite bed and banks in which there is not a permanent flow of water [and is represented as a dashed line on United States Geological Survey (USGS) 7.5 minute Quadrangle maps].

STREAM PERENIAL – A stream that flows continuously throughout the year in a natural or man made channel [which is represented as a solid line on United States Geological Survey (USGS) 7.5 minute Quadrangle maps].

212-124 Buffers uses the same definition for streams.

Since our Town Planning department provides no clarification between USGS and GIS streams in their site analysis presentations, it is very difficult to determine which intermittent streams actually require setbacks per our current zoning

Page 3 of the Salo handout shows the USGS stream data for the Salo Preserve. Only Trumansburg Creek is present. Therefore, the only affect to the Salo Preserve is an area about 100 ft to 150 ft wide along the southern boundary for Trumansburg creek and it's flood plain. Not the potential 200 ft wide area up thru most of the preserve with the GIS intermittent stream.

The presence of these intermittent streams not recognized by our current zoning can be significant such as the Salo Preserve. Other areas of large impact are Bolter Creek that goes from 2 USGS intermittent streams to 10 intermittent streams in the GIS data (8 GIS + 2 USGS) or the Lake Shore that goes from 13 USGS intermittent streams to 50 intermittent streams in the GIS data (37 GIS + 13 USGS). No area of the Town of Ulysses is immune to this un-recognized stream impact.

Jacksonville Park last year lost most of their parking area because they made the mistake of including a non-USGS stream in their data package. The county took advantage of that mistake and required setbacks based on the GIS stream in their 239 review.

So far in 2024, the planning board has received inconsistent site analysis data from our Planning Department.

1400 Taughannock Blvd.

1474 Taughannock Blvd.



1400 Taughannock site analysis did not include either
Of the 2 GIS streams
County 239 review did not bring them in either.

1474 Taughannock site analysis included both the
USGS stream in the southern part of the property
and the GIS stream along the northern boundary.

By including GIS streams not currently covered by our zoning, we are setting our property owners up for future land use problems when they go to build on these properties, like the north half of 1474 Taughannock that was split off to sell. The new property owner is going to have to deal with stream setbacks along part of their northern border for a GIS stream that was not recognized in our zoning when the split occurred in 2024.

As the planning board chair, I am looking for clear direction from our Town Board to the Town's planning department, Planning Board and BZA regarding how to deal with the GIS streams that show up in the Mapping Tompkins parcel views. I firmly believe that the inclusion of setback requirements in a land use decision for a stream not recognized by our current zoning is setting the town up for a lawsuit.

Karl Klankowski