

**Planning Board  
Zoom Hybrid Meeting  
Meeting Minutes  
June 18, 2024  
Approved: July 2, 2024**

**Board Members Present:** Vice Chair Linda Liddle, Mo Klein, Bart Gragg, Rebecca Schneider

**Board Members Present on Zoom:** Chair Karl Klankowski

**Quorum Present**

**Applicants Present:** Mark Martinek, Michael Barnoski

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

**Town Board Members Present on Zoom:** Michael Boggs

**Proceedings**

Vice Chair Linda Liddle called the meeting to order at 7:00 PM at Town Hall.

**Approval of Agenda**

Liddle moved discussion of new business items to the beginning of the meeting. A discussion about an update to the ag district addition was added to the end of the meeting.

**Motion:** Klein motioned to approve the amended agenda; Schneider seconded.

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

**Motion Carried.**

**Approval of Past Minutes**

Liddle made some corrections to the June 4 meeting minutes; further review and approval of the minutes was postponed.

**Privilege of the Floor**

No members of the public had any comments for the Planning Board.

**Motion:** Klein motioned to close privilege of the floor; Schneider seconded.

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

**Motion Carried.**

**New Business Items**

**SPR2405-02: Woodring New Accessory Structure Sketch Plan Review**

**61 Maplewood Road, Parcel Number: 29.-1-18.2**

The applicant, Mark Martinek, on behalf of the property owners Jeff and Nicole Woodring, proposes to construct a new deck and walkway adjacent to an existing dwelling unit and concrete patio. Per the Code of the Town of Ulysses ([CTU 212-44.A.1](#)), accessory buildings are permitted in the LS zone subject to the provisions of [CTU 212-167](#), but require site plan review when within a slope overlay area, pursuant to the provisions listed under [CTU 212-19](#).

Schneider asked about stormwater management plans; Martinek stated that there is an existing floor drain at the basement door, and after running a hose for 40 minutes, they determined that the water probably flows to a dry well.

Klein asked for details about markings on the submitted survey map.

Gragg stated that he has no concerns about the project, but he would like the homeowners to be aware that they should look out for any kind of erosion in the future.

The Board agreed that a public hearing would not be required.

Liddle stated that a topographical map would be needed.

Schneider asked if the septic tank is partially off the property; Martinek responded yes.

**SPR2405-03: Namaste Montessori School Expansion Sketch Plan Review  
1608 Trumansburg Rd, Parcel Number 31.-2-16**

The applicant, Michael Barnoski, on behalf of the owner, Bridgid Beames – Namaste Montessori School, proposes to expand the existing school on site with the construction of two additional school buildings, expansion of the existing offstreet parking area, and addition of a drop-off circle and bus turn around. Per the Code of the Town of Ulysses ([CTU 212-106.V](#)), public and private schools, nursery schools, and institutions of higher education are permitted in the OTMU zone, but required site plan approval pursuant to the provisions listed under [CTU 212-19](#) for new buildings and structures.

Barnoski explained the layout of the proposed renovation, which will depend on grant funding.

Schneider noted that the small ditch is an intermittent stream with a required buffer; the Tompkins County natural resource inventory map can show buffer areas. Septic plans will need to be finalized before building locations can be confirmed. Barnoski stated that the fence where goats reside already exists by the stream, and the septic design is in development.

Schneider added that there should be natural vegetation in the buffer area to assist in filtering the water. Beames stated that there is vegetation in the area and she can review that 50' is being met.

Barnoski shared the conceptual drawing of the proposed site with possible stormwater retention pond locations.

Gragg asked how much will be added in total hard surfaces. Barnoski responded that it would be a total of about 20,000 sf, with two additional farm shed structures planned to be removed; they both are around 3,000 sf each. The existing parking lot will be expanded with an added turnaround.

Gragg asked about the slope. Barnoski stated that the site is quite flat.

Schneider asked what the surface of the parking lot will be and if an impermeable surface or gravel is being considered. Beames responded that the costs will influence the final decision.

Barnoski showed renderings of the building exterior from various angles.

Barnoski noted that the biggest question is the SWPPP and if it is needed for final site plan approval.

Tygesen responded that environmental review should be done all at the same time, even if phase 2 is 5 years in the future.

Beames spoke about the grant application process, acknowledging that phase 1 is a long shot, and phase 2 would be expected to develop within 5-10 years, but it may not happen. Barnoski noted that the grant will be awarded later in summer. Tygesen suggested rewriting the proposal to just focus on phase 1.

Klein stated that the only concern is stormwater runoff.

Barnoski agreed that he could return with a formal site plan including septic designs in about a month.

**Old Business Items**

Liddle spoke about the Farmland Protection Grant that Crystal Buck spoke about during the June 4 meeting. Liddle suggested that selling development rights could be an option; the program is capturing areas where it is feasible, but it may not be ideal in this area.

### **Board Member Training**

Board members spoke about needing to obtain certificates for recently completed wetland training. Tygesen asked Board members to let staff know if they are interested in training on specific items or case law, to be scheduled before September.

### **Potential Zoning Code Amendments**

Liddle reviewed the proposal for the amendments to DD8. At the May 7 meeting, the Planning Board recommended the Town Board amend the zoning code.

The proposed zoning code amendment would change the process of future proposed site improvements to DD8 by requiring site plan approval from the Planning Board only instead of going back and forth between the Town Board and Planning Board. The Town Board will have a hearing about the proposed zoning code amendment at their June 25 meeting.

Tygesen clarified that the proposed amendment will just change the zoning code, it will not grant site plan approval for the proposed shed roof. If the Town Board approves the code amendment the applicant will need to return to the Planning Board for final site plan approval. The way the zoning code is currently written, site plan amendments for some existing development districts are required to go through the same application process as for the creation of a new development district which requires both Town Board and Planning Board review and approvals.

Klein asked if all development districts require this process. Tygesen responded that there are a few development districts that do not have to go to the Town Board for site plan development review; each district has its own regulations defined in the zoning code. The proposed zoning amendment would only affect DD8, Moore's Marine.

Klein stated that he had read through the proposed amendment, and it seems easy, all it does is simplify the process by taking the Town Board out of it.

**Motion** Klein motioned to recommend approval of the proposed zoning code modifications as presented by staff to the Town Board; Gragg seconded.

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

**Motion Carried.**

Boggs stated that a sleight of hand occurred with the resolution that was just made since the redlined zoning amendment was not in tonight's agenda. Boggs questioned how a request for a new shed roof had developed into a complete rewrite of the DD8 zoning code. Boggs stated that the Moores came to the Town Board asking for a shed roof, then the Planning Board requested additional stormwater plans, but a public hearing was not held. Boggs stated the proposed amendment in the Town Board packet felt very fishy.

Board members confirmed that they had not been part of developing the proposed code amendments. Schneider and Gragg stated that they had not reviewed the proposed amendment.

Boggs reiterated that the resolution that was just approved by the Planning Board had a very sleight of hand way of approval.

No resolution was voted on; the Planning Board only motioned to recommend approval of the proposed zoning code amendments to simplify the site plan review process for DD8.

Schneider stated that the Planning Board did not review and edit the DD8 code as a group.

Gragg asked Boggs who sent him the proposed zoning amendment. Boggs responded that is what he is asking the Planning Board; he knows what the Planning Board was charged with, and he received something completely different.

Tygesen reviewed the sequence of events. The Moores first submitted a building permit application. The zoning code states that any new building or structure in DD8 requires Town Board approval. The problem with the current code is that some existing development districts are required to go through the rezoning process as stated in 212-20, which is germane to properties that would like to become a new development district.

The Moores previously expressed the concern that the current process is too complicated. Tygesen drafted changes to the zoning code, which were reviewed and further amended by Legal.

Klein stated that the amendments only change the review process, so that only the Planning Board would grant final site plan approval instead of the Town Board.

Schneider stated that she needed to review the proposed amendment.

**Motion:** Klein motioned to rescind the previous motion recommending approval of the zoning code amendment in DD8 to the Town Board; Gragg seconded.

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

**Motion Carried.**

Gragg expressed concern about the communication regarding the proposed amendment so far.

Klein looked at his email and confirmed that an email containing information about the proposed amendment changes was sent on June 14.

Tygesen printed copies of the redlined changes and distributed them to the Planning Board.

Gragg confirmed that he did receive the email and suggested having a clearer indication for important memos.

The Planning Board reviewed the proposed amendment.

Schneider asked if the Town Board had read through the proposed changes and if they find them substantial or minor.

Boggs stated that the proposed amendment showed up in their Board packet, and the Moores did not request such changes from the Town Board. Boggs stated that the changes were downplayed during the meeting and the changes do not seem minor. Boggs assumed that the Planning Board had worked on the proposed changes and was surprised to find that some members were not aware of the exact proposed changes. Boggs stated that there needs to be more dialogue regarding these types of issues.

Tygesen stated that he drafted the proposed language and that Legal had reviewed and approved the language with additional amendments, the Town Board should have reviewed the draft language for their last meeting.

Tygesen provided an itemized review of the proposed changes. Under state and local laws, Planning Boards typically approve site plans. Town Boards typically approve rezones and code amendments, but not site plan reviews.

Following Tygesen's review, Schneider stated that she is ready to support the zoning code amendment.

Boggs stated that his issue is with the process; stating that at least three of the Town Board members probably would not have read this; the Board packets get pretty thick, and Board members rely on recommendations, so this was a surprise to him. Boggs stated that he would vote against this because of the process and that the Moores should come to the Town Board for any zoning amendment. Boggs stated that he is not doubting Tygesen's abilities, but the process is not correct.

Gragg asked Boggs to verify that he would be voting against this out of principle; Boggs responded yes.

Gragg asked what they need to do to help the Moores. Boggs responded that the Planning Board just needs to approve the roof, and what came to the Town Board was not that. The shed roof should be

approved before the code is amended. This is a delay. This was not on anybody's agenda.

Gragg asked if Boggs read the redlined changes; Boggs replied yes. Gragg asked if Boggs agreed with the changes; Boggs stated he does not feel the code needs to be rewritten and there are no substantial changes, he asked what the point of the rewriting is, and what the problem with the original code was.

Schneider stated that there are two types of changes: some wording has changed, and the Planning Board will make the final decision for future site plan approvals.

Klein asked what will we do about the Moores? Will we keep them in suspense for months?

Linda noted that there still needs to be a hearing.

Discussion ensued over the best process to meet the Moores' needs.

Schneider explained that the vote to send the application back to the Town Board to hold a hearing was meant to make the process more efficient. Assuming approval of the proposed zoning amendments, the Planning Board would be able to approve the application for the shed roof currently under review.

Tygesen stated that the hearing for the proposed code amendment is scheduled for the Town Board meeting next Tuesday, June 25.

Discussion ensued over the most efficient review process and the possible timelines that depend on whether the proposed zoning amendment is passed.

**Motion:** Schneider motioned to forward a statement from the Planning Board to the Town Board stating that the Planning Board has reviewed and supports the proposed amendments to Development District 8 with the redlines. If the Town Board approves the revisions to Development District 8, responsibility then for this decision about Moore's site plan amendment will come back to the Planning Board, and we immediately approve for a public hearing to be scheduled on July 2; Klein seconded.

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

**Motion Carried.**

## **Ag District 2**

Schneider spoke about communication issues between the Planning Board and the Town Board regarding the decision for a parcel that was added to Ag district 2 against the recommendation of the Planning Board, and the follow up response from legal about the process.

Schneider stated that the Town Board disregarded the effort put in by the Planning Board, the comp plan, and zoning, and her trust in the Town board has been severely impacted, leading to thoughts about whether she would like to continue serving on the Planning Board.

Klein agreed with Schneider's sentiments and expressed that he had also seriously considered resigning.

Gragg stated that from the moment he read the email indicating that the subject parcel had been approved for addition into the ag zone, he felt betrayed, and nothing that has happened since then has changed his feelings.

Schneider noted that she is more confident than ever in the other Planning Board members' knowledge on stormwater management issues.

Gragg suggested that the Board needs to move forward without being contentious, but they need to take a stand on certain issues; they need to get more aggressive in getting things on the Town Board agenda and making a presentation. A problem with this was the decision was made too late.

The Board discussed the upcoming decision for the previously discussed zoning code amendment for DD8.

**Motion:** Klein motioned to draft the resolution for DD8 into a letter and request a response letter from the Town Board about what the vote was, who voted, and what the decision was; Gragg seconded.

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

**Motion Carried.**

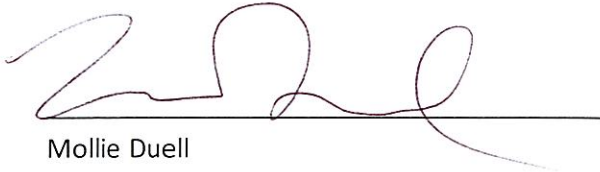
The Planning Board discussed options to improve communications with the Town Board.

**Motion:** Klein motioned to adjourn; Gragg seconded.

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

**Motion Carried.**

ADJOURNED 9:02 PM

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

Mollie Duell

Planning Board Secretary