

## TOWN OF ULYSSES

### A RESOLUTION APPROVING LOCAL LAW NO. XX-2024 EXISTING DEVELOPMENT DISTRICT ZONING CODE AMENDMENT

At a meeting of the Town Board of the Town of Ulysses, held on the 9<sup>th</sup> day of July 2024, at Town Hall, 10 Elm Street, Trumansburg, New York, the following resolution was offered and seconded:

**WHEREAS**, the Town Board passed Resolution 99 of 2024 on June 11, 2024 to schedule a public hearing on the proposed action for June 25, 2024; and

**WHEREAS**, notice was given that the Town Board scheduled a public hearing for June 25, 2024 at 7:00 p.m. for Local Law No. XX of the Year 2024 entitled “Existing Development District Zoning Code Amendment”; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Town on June 15, 2024, was posted on the Town’s website, and was posted on the Town Clerk’s signboard; and

**WHEREAS**, pursuant to General Municipal Law Article 12-B Sections 239 L, M, and N of the Consolidated Laws of New York the proposal was submitted to Tompkins County for review; and

**WHEREAS**, the Department of Planning & Sustainability of Tompkins County submitted their response letter to the Town dated June 28, 2024 that states they determined the proposed action will have no significant county-wide or inter-community impact; and

**WHEREAS**, the Town Board passed Resolution 73 of 2024 that directed the Planning Board to review the proposal and provide a recommendation to the Town Board; and

**WHEREAS**, the Planning Board reviewed the proposal on April 16, 2024; May 7, 2024; and on June 18, 2024; and

**WHEREAS**, the Planning Board sent a memo to the Town Board dated June 18, 2024 that states they support the proposed code amendment and passed Resolution 2024-010 that recommends the Town Board amend the zoning code; and

**WHEREAS**, said public hearing was duly held on the 25<sup>th</sup> day of June 2024 at 7:00 p.m. and on the 9<sup>th</sup> day of July 2024 at 7:00 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

**WHEREAS**, in accordance with the Consolidated Laws of New York Article 8 of the Environmental Conservation Law and the New York Codes, Rules, and Regulations Title

6, Part 617 State Environmental Quality Review, it was determined by the Town Board of the Town of Ulysses on July 9, 2024, that adoption of the proposed Local Law constitutes an Unlisted action, as defined under said regulations. The Town Board has considered the possible environmental impacts of the Local Law. The adoption of said Local Law will not have a significant adverse impact on the environment and the Town Board issued a negative declaration of environmental significance with respect to the Local Law.

**NOW, THEREFORE BE IT RESOLVED** that the Town Board of the Town of Ulysses hereby adopts said local law as Law No. XX of the Year 2024 entitled “Existing Development District Zoning Code Amendment” as shown in Exhibit A attached hereto; and it is further

**RESOLVED** that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and give due notice of the adoption of said Local Law to the Secretary of State; and it is further

**RESOLVED** that this resolution will take effect immediately upon filing with the Department of State.

**CERTIFICATION**

I, Carissa Parlato, do hereby certify that I am the Town Clerk of the Town of Ulysses and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Ulysses at a meeting thereof held at Town Hall, 10 Elm Street, Trumansburg, New York on the 9 day of July, 2024. Said resolution was adopted by the following roll call vote:

Supervisor Katelin Olson \_\_\_\_\_  
Councilperson Rich Goldman \_\_\_\_\_  
Councilperson Elizabeth Weatherby \_\_\_\_\_  
Councilperson Michael Boggs \_\_\_\_\_  
Councilperson Mary Bouchard \_\_\_\_\_

Dated: \_\_\_\_\_, 2024

[Town Seal]

\_\_\_\_\_  
Carissa Parlato, Town Clerk

**TOWN OF ULYSSES  
LOCAL LAW NO. [REDACTED] FOR THE YEAR 2024**

**EXISTING DEVELOPMENT DISTRICT ZONING CODE AMENDMENT**

Be it enacted by the Town Board of the Town of Ulysses as follows:

**Section 1. Section 212-118 entitled “Existing Development District” shall be amended as follows:**

A through G *Remains the same.*

H. Development District No. 8: Boat sales, service, and storage (formerly Development District No. 19, created July 18, 1991, amended July 9, 2024). Any amendment to this subsection shall be processed as a zoning code amendment following the process listed under Article III, § 212-20.

H.(1) through (2) *Remains the same.*

H.(3) District specifications.

(a) The existing building is to be used for business. Well and septic systems are to be maintained according to Tompkins County Health Department requirements.

(b) No mechanical sound associated with boat repair shall emanate from the property before 8:00 a.m. or after 8:00 p.m. Monday through Saturday, nor on Sundays and federal holidays.

(c) Off-street parking located between the front of the building and highway right-of-way and on the south side of building, as delineated on "Survey Map Showing Development District for Moore's Marine Located at No. 3052 Dubois Road, Town of Ulysses, Tompkins County, New York," by TG Miller P.C., revised January 22, 2018, Tompkins County Recording Instrument No. 2018-05597 shall be maintained until amended as provided for herein. Amendments to the site configuration of the off-street parking areas shall be subject to site plan approval pursuant to the provisions of Article III, § 212-19, shall be recorded with the Tompkins County Clerk's office, and shall require no further action or review by the Town Board.

(d) Temporary parking of boats for service delivery and pickup are permitted to the north and east of the building or on the gravel parking areas as delineated on the amended map noted above. Amendments to the site configuration of the temporary parking of boats to be serviced shall be subject to site plan approval pursuant to the provisions of Article III, § 212-19, shall be recorded with the Tompkins County Clerk's office, and shall require no further action or review by the Town Board.

(e) Long-term outdoor storage of boats shall only be permitted on the gravel parking areas to the south and east of the building as delineated on the amended map noted above. Amendments to the site configuration of the long-term outdoor storage of boats shall be subject to site plan approval pursuant to the provisions of Article III, § 212-19, shall be recorded with the Tompkins County Clerk's office, and shall require no further action or review by the Town Board.

(f) Used boat sales shall be permitted only on the gravel parking area to the south of the building as delineated on the amended map noted above. Amendments to the site configuration of used boat sales shall be subject to site plan approval pursuant to the provisions of Article III, § 212-19, shall be

recorded with the Tompkins County Clerk's office, and shall require no further action or review by the Town Board.

(g) Vegetated buffer shall be installed and maintained on the property boundaries with 3060 Dubois Road (Tax Parcel Number 32-2-10) and 3072 Dubois Rd (Tax Parcel Number 32-2- 8.21). Landscape plan for the vegetated buffer shall be reviewed and approved by the Planning Board and filed with the Town.

(h) Area around building to be kept clean with no outside storage other than boats with or without motors and trailers.

(i) Signs: One freestanding sign not to exceed 18 square feet. For sign(s) attached to the building, the cumulative square footage shall not exceed 64 square feet. Signs required by New York State are not included in the area calculation. No illuminated signs shall be permitted.

(j) Exterior building lights and security lights are permitted, subject to the provisions of Article XX, § 212-123.

(k) Used gear lubricants and motor oils shall be stored in a tank or tanks not to exceed 300 gallons, which shall be pumped when full by an authorized handler of petroleum waste material. There shall be no liquid or solid waste disposed of on the property other than that authorized by the Tompkins County Health Department.

(l) Construction of any new structure or expansion of a permitted use shall be subject to site plan approval pursuant to the provisions of Article III, § 212-19, shall be recorded with the Tompkins County Clerk's office, and shall require no further action or review by the Town Board.

(m) A vegetated buffer 100 feet wide shall be maintained on the eastern boundary of the Development District.

(n) Engine/boat maintenance and repair involving lubricants, oils, or other hazardous materials shall be performed over a permanent or portable impermeable surface with sufficient capacity to collect the maximum volume of liquids used during the maintenance/repair work. Spills shall be cleaned up according to best management practices.

(o) No edible plants shall be grown for human consumption without first testing the soil for contaminants.

I through J *Remains the same.*

## **Section 2. Remainder**

Except as hereinabove amended, the remainder of the Code of the Town of Ulysses shall remain in full force and effect.

## **Section 3. Severability**

The provisions of this Local Law are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included

therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

**Section 4. Effective Date**

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.