

Draft – not yet approved TOWN BOARD MEETING

Town of Ulysses

August 11, 2020

Audio of the minutes are available on the website at ulysses.ny.us.

The meeting was held via videoconference on the Zoom platform.

Notice of Town Board meetings are posted on the Town’s website and Clerk’s board.

ATTENDANCE:

TOWN OFFICIALS PRESENT:

Supervisor- Nancy Zahler

Board members- Richard Goldman, Michael Boggs, Katelin Olson, Marc Devokaitis

Deputy Town Clerk- Sarah Koski

Second Deputy Supervisor- Michelle Wright

Attorney for the Town- Khandikile Mvunga Sokoni

Environmental Planner- John Zepko

OTHERS PRESENT: Lawrence McCann, Mary Bouchard, Linda Liddle (Planning Board Chair), Peter Houghton, Anne Koreman (Tompkins County Legislator) , Edward Webster

CALL TO ORDER:

Ms. Zahler called the meeting to order at 7:00pm

APPROVAL OF AGENDA:

RESOLUTION 2020-157: APPROVAL OF MEETING AGENDA

BE IT RESOLVED that the Ulysses Town Board approve the agenda for August 11, 2020 with the following change: move town reports to follow the budget updates to allow for more discussion of zoning update earlier in the meeting.

Moved: Ms. Zahler

Seconded: Ms. Olson

Ms. Zahler aye

Ms. Olson aye

Mr. Boggs aye

Mr. Goldman aye

Mr. Devokaitis aye

Vote: 5-0

Date Adopted: 8/11/2020

PRIVILEGE OF THE FLOOR

(none)

REPORTS FROM REPRESENTATIVES:

Anne Koreman, Tompkins County Legislator: There are currently 12 active cases of COVID in the county, which is low considering there are some returning Ithaca College and Cornell University students that are getting tested. The county is working with all three colleges on their reopening plans. Many residents are concerned about students returning in regard to infection rate. June sales tax is down 31.64% for the County, and down 30.55% for municipalities. July sales tax numbers are expected this week. TC legislature is creating an online sign in process for those who want to publicly comment during their online meetings. Currently there are 18 furloughs in the county workforce. County budget talks are set to begin August 19th. The current estimate for the county is 6-11 million deficit and they are expecting a 20% reduction in state aid.

COVID testing is no longer free unless you are exposed to a known case or have symptoms. Testing now costs \$99. Testing is now by appointment only. The county is looking for state and FEMA reimbursement that might help cover the costs of testing.

Ms. Olson asked about free testing sites in New York State; are there other sites that Tompkins county residents could get tested for free? Ms. Koreman stated that NYS has free testing sites in Syracuse and Binghamton. Ms. Koreman will ask the health department to get that information added to their website.

At the county, 25-28 people may take advantage of early retirement. Tuesday the county legislature will recognize the 19th amendment to honor 100 years of women’s suffrage.

TOWN REPORTS: MOVED TO LATER IN THE MEETING

(See Appendix I)

OLD BUSINESS:

Discussion:

Ms. Zahler directed the Town Board that this would be the time to react to public comments in regard to the zoning amendment, and have an open discussion before the board takes action.

Mr. Boggs thanked Ms. Liddle and the Planning Board, Mr. Zepko and Mr. Houghton for their work on the amendment. Ms. Zahler also thanked those involved for adjusting to meeting virtually through Zoom.

Mr. Zepko then went over Parts 1, 2 and 3 of the Environmental Quality Review Act *(See Appendix II)*.

Mr. Devokaitis asked if there is another level of review after the Town Board and Mr. Zepko and Ms. Zahler said that no, as the Town Board is the lead agency for the SEQRA.

SEQRA NEGATIVE DECLARATION OF SIGNIFICANCE FOR THE ADOPTION OF LOCAL LAW # 1 OF 2020, A LOCAL LAW AMENDING THE TOWN OF ULYSSES ZONING LAW REGARDING LAKE SHORE AND CONSERVATION ZONES

RESOLUTION 2020-158– SEQRA NEGATIVE DECLARATION OF SIGNIFICANCE FOR THE ADOPTION OF LOCAL LAW #1 OF 2020, A LOCAL LAW AMENDING THE TOWN OF ULYSSES ZONING LAW REGARDING LAKE SHORE AND CONSERVATION ZONES.

WHEREAS, the Town Board of the Town of Ulysses (Town Board) enacted Local Law No. 3 of 2019 on December 10, 2019, which law was filed with the New York State Secretary of State on December 16, 2019. Local Law No. 3 of 2019 repealed in its entirety the Town of Ulysses Zoning Law adopted by Local Law No. 3 of 2013, amended from time to time, and codified as Chapter 212 of the Laws of the Town of Ulysses, and in its place adopted a new zoning law, and

WHEREAS, the Town Board now seeks to further refine the Ulysses Zoning Law by revising the maximum foot print of buildings in the Lake Shore Zone (LS) and Conservation Zone (CZ), as well as to refine building standards in these zones to protect the impact of development on the steep slopes and natural resources according to the goals set in the Ulysses Comprehensive Plan of 2009, and

WHEREAS, The Town Board has determined that the action is a Type I action under 6 NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA), and by Resolution Number ,2020-137 declared itself Lead Agency for the purpose of conducting an uncoordinated environmental review in connection with approval by the Town; and

WHEREAS, The Town Board sought advice from the Town of Ulysses Planning Board regarding the footprint of dwellings in Lake Shore and Conservation Zones; and

WHEREAS, the Town Board is the only agency charged with taking action in connection with the adoption of this Local Law, which action is purely legislative in nature; and

WHEREAS, The Town Board of the Town of Ulysses, acting as the Lead agency in its the uncoordinated environmental review in accordance with Article 8 of SEQRA, thoroughly reviewed the Environmental Assessment Form (“EAF”), Parts I and 2, and the Impact Analysis of the Proposed Zoning Amendments, including the findings noted therein (which findings are incorporated herein as if set forth at length), and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, and thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed

action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR §617.7(c), and (iii) completed the EAF, Part 3; and

WHEREAS, the Town Board has compared the proposed action with the criteria for determining significance in SEQRA 6 NYCRR 617.7;

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ulysses, based upon its thorough review of the EAF, Parts 1 and 2, and the Impact Analysis of the Proposed Zoning Amendments, including the findings noted therein (which findings are incorporated herein as if set forth at length), and any and all other documents prepared and submitted with respect to this proposed action, and in comparison with the Criteria for Determining Significance found at 6 NYCRR Part 617.7, hereby makes a negative declaration of environmental significance (“Negative Declaration”) in accordance with SEQR for the above referenced proposed zoning amendments and that the preparation of a Draft Environmental Impact Statement is not required; and

BE IT FURTHER RESOLVED,

that this determination is based on the following facts and conclusions:

Adoption of the Local Law is consistent with the following Objectives of the Town of Ulysses Comprehensive Master Plan:

OBJECTIVE #1.1 B - Investigate and implement various mechanisms to protect and preserve environmentally sensitive areas such as steep slopes, wetlands, Unique Natural Areas, mature forests and important wildlife habitats in all Land Use areas.

OBJECTIVE #1.1 E. Enact zoning regulations to protect the Cayuga Lake waterfront and ensure development that is consistent with the lakefront’s existing character and compatible with the natural environmental features.

OBJECTIVE #1.2 B. Ensure that effective Town-wide stormwater management and erosion and sediment control regulations are in place, and that there are sufficient resources to effectively enforce the regulations; at a minimum the regulations need to ensure that rates of runoff from new development are no greater than pre-development rates, and erosion control measures effectively prevent sediment from entering streams and roadside ditches during construction and other soil disturbing activities

Adoption of the Local Law will not result in any direct action or physical change to the environment.

Any changes to the environment that may occur from adoption of the Local Law would be indirect and result from future undertakings that would be permitted by the Local Law.

Adoption of the Local Law will likely preserve land, and the unique natural resources in the Town of Ulysses.

Conformance with adopted Town of Ulysses Plans & Environmental Impact Analysis of Proposed 2019 Zoning Amendments

	Comprehensive Plan Objective	Town Action through Zoning	Environmental Impacts
1.1	Preserve and protect the town’s natural and environmental resources (Objective 1.1 p.19);	Stream setbacks to Taughannock and Trumansburg Creeks have been increased. Section 212-124 B. <i>Stream Protection Setback</i> , has been clarified with the goal of protecting water quality.	No negative environmental impacts. Protects water quality from contamination and sedimentation due to soil erosion
1.2	Protect existing water resources and maintain water quality	See above	No negative environmental impacts. Protects water quality from contamination and sedimentation due to soil erosion
1.2a	Review and revise the existing Town regulations to more adequately protect streams in the Town through buffer zones, setbacks, or other protection mechanisms such as a stream protection overlay zone.	See above	No negative environmental impacts. Protects water quality from contamination and sedimentation due to soil erosion
1.2g	Identify and enact measures to protect the quantity and quality of groundwater for Town residents, including the preservation of open space and prohibiting over-withdrawal of groundwater resources, and limiting potential negative impacts associated with septic systems, agricultural practices and commercial contaminants.	See above. Sections 212-139.3: <i>Animal Waste Storage Facility</i> , and 212-139.4 <i>Confined Animal Feeding Operations</i> both enact measures to protect ground and surface water and protect neighboring lands from the side effects from large quantities of animal waste. The separate	No negative environmental impacts. Protects water quality from contamination and sedimentation due to soil erosion

	Comprehensive Plan Objective	Town Action through Zoning	Environmental Impacts
		law on <i>Illicit Discharges</i> covers protection from commercial contaminants.	
1.2h	Ensure to the extent possible that animal agriculture operations in the Town are managed so as to protect the health and safety of the citizens of the Town.	See answer to 1.2g	Protects water quality from contamination. Setbacks from property lines are intended to limit negative environmental impacts on neighboring lands animal waste storage.
1.3a	Ensure to the extent possible that all animal agriculture operations in the Town are managed so as to protect the health and safety of the citizens of the Town.	While the Town has little oversight authority for agriculture, the Town does feel residents have a right to know the same information that is submitted to the state regarding animal waste management. Having some oversight of the location of animal waste storage facilities is for the protection of health and safety of residents (see separate section below on CAFOs)	Residents will have the information to help protect their own health, safety and welfare to the extent allowed by NYS Ag and Markets.
2.1a	Use the Future Land Use Plan to guide officials' decision-making as it relates to future development.	The proposed zoning map uses the Future Land Use Plan as a guide to regulations within each zone.	No negative environmental impacts
2.1b	Update the Town's Zoning Law to ensure consistency with the Future Land Use Plan.	The proposed zoning map more closely matches that of the Future Land Use Plan.	No negative environmental impacts
2.1c	Incorporate architectural design	Design standards and	No negative environmental impacts

	Comprehensive Plan Objective	Town Action through Zoning	Environmental Impacts
	guidelines or standards into the Town's Zoning Law to ensure new commercial and mixed land use development is consistent with the vision of the Town. Utilize the results of the Community Character Survey to aid in codifying the design standards for inclusion in the updated Zoning Law. Include architectural review as part of the site plan review process for all commercial, large-scale residential, and mixed use development that occurs in the Town.	guidelines have been enhanced for commercial development, lighting, signs, and parking, and to a small degree, architectural detail based on Appendix 4, the Community Character Survey Results.	
2.5f	Incorporate land use tools in the Zoning Law that encourage the clustering of residential development to preserve existing rural character and efficient use of municipal services.	Subdivision rules encourage use of cluster subdivision to preserve rural character and reduce demand for new municipal water services.	No negative environmental impacts. Actions preserve farmland and open space.
2.6a	Prepare a <i>Farmland Protection Plan</i> to identify important agricultural lands. Develop specific strategies for protecting and maintaining high quality agricultural land for agricultural uses and for preserving the rural landscape.	The Town adopted an <i>Agriculture and Farmland Protection Plan</i> in 2013 with strategies for protecting ag land for ag uses and preserving the rural landscape.	No negative environmental impacts. Actions preserve farmland and open space.
2.6c	Allow cluster and road frontage development in the Agricultural Priority Area of the Future Land Use Plan, as appropriate to conserving valuable farmland for continued agricultural uses while also allowing farmers and landowners to develop smaller lots.	Cluster development and development along road frontages is allowed in the proposed zoning in the Ag Priority Area to still allow farmers to develop.	No negative environmental impacts. Actions preserve farmland and open space.
3.1g	Allow farm-related businesses on farms as long as they remain	The proposed zoning adds and expands on	While certain types of farming or farm business operations do have environmental impacts such

	Comprehensive Plan Objective	Town Action through Zoning	Environmental Impacts
	secondary to the farm operation.	the commercial uses allowed in the Agricultural/Rural zone.	as use of fertilizers and pesticides, NYS has broad regulatory authority over agriculture and its impact on the environment. Site plan review will help mitigate the environmental impacts of certain farm-related businesses.
5.2b	Revise the existing sign ordinance to ensure consistent and aesthetic sign design and to include appropriate sign regulations on the Cayuga Lake Scenic Byway.	The sign regulations are essentially the same but have been clarified to remove ambiguity. Guidance taken from the Community Character Survey.	No negative environmental impacts.
5.2c	Revise the existing outdoor lighting ordinance to prevent light pollution.	The outdoor lighting design standards have been changed to adhere to Dark Sky guidelines to protect from light pollution for the benefit of all. Guidance taken from the Community Character Survey.	No negative environmental impacts. Regulations decrease light pollution.
5.2d	Include landscaping requirements for new commercial and residential developments where appropriate and create incentives to landscape existing structures.	Design Standards have some new landscaping requirements. Guidance taken from the Community Character Survey.	No negative environmental impacts.
	Community Character Survey Results, Appendix 4, page 151-- In general, the lowest rated images were those that showed buildings with large parking area in a strip plaza development, few pedestrian amenities, a general lack of landscaping, and limited architectural style or detailing. Large building masses and vehicular-oriented development styles ranked particularly low.	Design Standards improve some of the visual aspects that residents rate most highly for commercial development.	No negative environmental impacts.

	Comprehensive Plan Objective	Town Action through Zoning	Environmental Impacts
	APPENDIX 4: COMMUNITY CHARACTER SURVEY RESULTS (page 160): Building size	Based on survey results in the Community Character Survey, which indicated large box style buildings were in the lowest end of “desirability”, the Town is limiting the size of future buildings to the size of the largest existing building footprint of 20,000 ft ² for agricultural purposes and in general 5,000 ft ² for non-agricultural buildings in the Ag/Rural Zone.	No negative environmental impacts. Will protect the existing “rural character” of the town as indicated in the Community Character Survey.
	APPENDIX 4: COMMUNITY CHARACTER SURVEY RESULTS (page 160): Parking design standards	Based on survey results in the Community Character Survey, which indicated large parking lots in the front of buildings were in the lowest end of “desirability”, the Town is limiting parking for commercial purposes to the side and back of buildings.	No negative environmental impacts. Will protect the existing “rural character” of the town as indicated in the Community Character Survey.
	APPENDIX 4: COMMUNITY CHARACTER SURVEY RESULTS (page 160): Sign design standards	Based on survey results in the Community Character Survey, which indicated a preference for certain sign designs, the Town is limiting certain aspects of new signs.	No negative environmental impacts. Will protect the existing “rural character” of the town as indicated in the Community Character Survey.

	Agriculture & Farmland Protection Plan GOAL	TOWN ACTION	ENVIRONMENTAL IMPACTS
4.2.4A	The Town should have a Right-to-Farm clause for any zoning district where agriculture is a permitted use.	A Right-to-Farm clause continues to exist as it has since 2007. (Chapter 212 §212-24 “Right to Farm”)	No negative environmental impacts.
4.2.4B	Subdivision Review (rated high): Encourage developers to identify important farmlands and other key environmental features including those that would affect water quality and viewsheds at the beginning of the design process, and then design a residential subdivision in harmony with those resources to the extent practical	The AFPP Committee identified important farms and included it in the AFPP. The Town now also has a Natural Resources Inventory developed by Cornell Cooperative Extension. Both will be used as reference during the planning process for developments.	No negative environmental impacts. Action helps preserve farmland and open space.
4.2.4B	Subdivision Review (rated high):Employ best practices in subdivision/site design including the following: vegetated buffers adjacent to streams and wetlands; vegetated buffers between farms and residences to minimize potential conflicts between residential communities and farming activities;	Updated Zoning § 212-124 to require 100-foot setback from Trumansburg and Taughannock Creeks.	No negative environmental impacts. Action helps preserve farmland and open space.
4.2.4L	Site Plan Review (rated high). Develop site plan review procedures for confined animal feedlot operations (CAFO’s) as defined by the US	-Design Standards proposed for Confined Animal Feeding Operations (CAFO) which apply regardless of how that use is classified (Site Plan	CAFOs themselves can have a negative effect on the health, safety and welfare of residents if Best Management Practices are not followed, but this is regulated by the NYS Department of Agriculture and the NYS Department of Environmental

	Agriculture & Farmland Protection Plan GOAL	TOWN ACTION	ENVIRONMENTAL IMPACTS
	EPA or the NYS DEC.	Review, Special Permit, etc.)	Conservation. Ulysses CAFO Design Standards will help to protect residents and water quality from undesirable side effects known to be associated with some CAFOs (see separate section on CAFOs below) to the extent allowed by the state.
4.2.4K	Expand or enhance the Town's cluster development regulations	Cluster Subdivision is in the proposed new zoning regulations.	No negative environmental impacts. Action helps preserve farmland and open space.
4.2.4i	Develop Site Plan Review procedures for confined animal feedlot operations (CAFO's) as defined by the US EPA or the New York State DEC	CAFOs remain allowed in the zoning under Special Permit.	CAFOs themselves can have a negative effect on the health, safety and welfare of residents if Best Management Practices are not followed, but this is regulated by the NYS Department of Agriculture and the NYS Department of Environmental Conservation. Ulysses CAFO Design Standards will help to protect residents and water quality from undesirable side effects known to be associated with some CAFOs (see separate section on CAFOs below) to the extent allowed by the state.
Appendix D of AFPP	Expand Purpose Statement for Article V, §212-23-A/R Zone to focus on the contribution of agriculture. Specifically, add <i>"Furthermore, this zoning is designed to preserve the existing agricultural operations that flourish on our town-wide excellent soils and to promote the establishment of new agricultural enterprises to assure the continuation of the rural nature of the town."</i>	The Purpose Statement has been updated and expanded based on input from the Agriculture and Farmland Protection Plan and comments from the Agriculture Committee. The purpose emphasizes agricultural uses as primary uses in the zone. The specific sentence recommended in the AFPP was added to the Purpose Statement but the words "town-wide" were removed due to a comment from a	No negative environmental impacts

	Agriculture & Farmland Protection Plan GOAL	TOWN ACTION	ENVIRONMENTAL IMPACTS
		member of the Agricultural Committee.	
Appendix D of AFPP	Change “District” to “Zone”	The title of Article V--the A/R-Agriculture/Rural Zone—is, under the 2013 Zoning called A1-Agricultural District. The word “District” causes confusion with the State-certified agricultural district designation associated with NYS Agriculture and Markets Law. The Zoning Update Steering Committee recommended a name change to A/R-Agricultural/Rural Zone.	No negative environmental impacts
Appendix D of AFPP	Expand uses in the A/R Zone to expand profitability of farms.	The proposed zoning offers a number of ways for farm operations to be more profitable including a liberalized list of allowed value-added uses including agritourism uses, cideries, distilleries, wineries, nurseries and greenhouses, lawn and landscaping services, and restaurants selling farm-produced products. Also added is an expanded definition and allowance of Agriculture-Related Commerce.	The expanded uses are not expected to have a negative environmental impact because most are subject to site plan review which will mitigate potential problems. This action supports expanded agricultural opportunities.
Appendix D of AFPP	Streams leading to Cayuga Lake should not carry polluting material or sediment in their downstream flow. The AFPP	The 2013 update of the zoning added stream setbacks of 50’. This update increases stream setbacks	Setbacks from streams will have no negative environmental impact and are put in place to preserve and improve water quality.

	Agriculture & Farmland Protection Plan GOAL	TOWN ACTION	ENVIRONMENTAL IMPACTS
	recommended adding, “No buildings, other structures, or parking areas shall be located within 50 feet of a stream or wetland.”	on Trumansburg and Taughannock Creeks to 100’. Wetland setbacks include any current or future local wetlands maps.	
Appendix D of AFPP	The smaller the minimum lot size required, the less acreage is removed from agricultural activity.	The recommendation was to allow lot size to be as small as one acre in the A/R zone, reduced from 2 acres. The original ZUSC recommended 1-acre minimums, but the expanded ZUSC voted to maintain the 2-acre minimum.	No negative environmental impact. The 2-acre minimum is the same size as previous zoning since at least 2005.
Appendix D of AFPP	There are multiple sections of Appendix D of the AFPP that recommend expanding specific agricultural related types of commerce	The proposed zoning adds a number of commercial types of agricultural-related types of businesses such as cideries, wineries, landscape businesses, greenhouses, etc.	The expanded uses are not expected to have a negative environmental impact because most are subject to site plan review which will mitigate potential problems. This action supports expanded agricultural opportunities.
Appendix D of AFPP	Development activities should not impair drainage from fields up-grade from the parcel to be developed by destroying drainage tile or pipe in the parcel proposed for development.	Added to § 212-19.C.2.g under Site Plan Review, Procedures, the recommended sentence of: Location of all existing streams, drainage-ways, water bodies, wetlands and underground agricultural drain tile and piping	No negative environmental impact.
Appendix D2 of AFPP	Require applicants to identify and locate critical farmlands or prime agricultural soils in relation to their project during the application process.	An Ag Data Statement is already required in the zoning.	No negative environmental impact. Already a requirement.

	Agriculture & Farmland Protection Plan GOAL	TOWN ACTION	ENVIRONMENTAL IMPACTS
Appendix D2 of AFPP	The Zoning Map should be modified to reflect the boundaries of the future land use Agricultural Priority Area. This includes extending the boundaries of the existing Agricultural area to reflect areas the community identified as important agricultural lands during the Comprehensive Planning Process.	The A/R zone in the proposed zoning map reflects the Agricultural Priority Area in the Future Land Use Map	No negative environmental impact.

Moved: Mr. Devokaitis

Seconded: Ms. Olson

Discussion: Ms. Sokoni stated that all local laws require a SEQRA as an explanation for new town board members who may not be familiar with the process.

Ms. Zahler aye
Ms. Olson aye
Mr. Boggs aye
Mr. Goldman aye
Mr. Devokaitis aye

Vote: 5-0

Date Adopted: 8/11/2020

APPROVING ADOPTION OF A LOCAL LAW AMENDING ULYSSES ZONING LAW REGARDING LAKESHORE AND CONSERVATION ZONES

RESOLUTION 2020-159: APPROVING ADOPTION OF LOCAL LAW 1 of 2020, A LOCAL LAW AMENDING ULYSSES ZONING LAW REGARDING LAKESHORE AND CONSERVATION ZONES

WHEREAS, the Town Board of the Town of Ulysses (Town Board) enacted Local Law No. 3 of 2019 on December 10, 2019, which law was filed with the New York State Secretary of State on December 16, 2019, which local law repealed in its entirety the Town of Ulysses Zoning Law adopted by Local Law No. 3 of 2013, amended from time to time, and codified as Chapter 212 of the Laws of the Town of Ulysses, and in its place adopted a new zoning law, and

WHEREAS, when adopting the Zoning Law on December 10, 2019 by Resolution 2019-211 several members of the Town Board wanted to re-visit the law in 2020 based on feedback from the Public Hearing held November 18, 2019 and

WHEREAS, the Town Board wished to consider alternative strategies that balance its environmental stewardship responsibilities with the property rights of landowners when protecting steep slopes and Unique Natural Areas in the Lakeshore and Conservation zone rather than a zone-wide limit of 2000sq ft footprint, and

WHEREAS, the Ulysses Town Planning Board reconsidered relevant sections of the law related to the lot limits and site plan review requirements of the Lakeshore and Conservation Zones and transmitted their recommendations including proposed changes to the current zoning along with their rationale to the Town Board on April 28, 2020 through Planning Board Resolution Numbers 1 of 2020 and 2 of 2020, and

WHEREAS, the Ulysses Town Board accepted the Planning Board recommendations and held a Public Information Session for all interested residents on Tuesday, June 16, 2020 to explain the proposal and invite questions and comments and received written and verbal comments before and after the session and,

WHEREAS, on June 23, 2020 the Ulysses Town Board discussed the comments received from residents in support of and opposed to the proposed Local Law #1 of 2020
AMENDING TOWN OF ULYSSES ZONING LAW REGARDING LAKESHORE AND
CONSERVATION ZONES, and

WHEREAS, Municipal Home Rule Law §20(5) requires that a public hearing be held before a local law is adopted by the Town Board, which public hearing must be held upon the publication of at least ten days' notice in the Town's official newspaper; and

WHEREAS, on July 14, 2020 the Town Board adopted draft language of the proposed amendments to the zoning law and scheduled a public hearing for August 11, 2020 and

WHEREAS, Town Law §264(4) also requires that a public hearing be held prior to adopting (or amending) zoning regulations, and

WHEREAS, Town Law §265(2) requires that amendments made to any zoning law(excluding any map incorporated therein) shall be entered in the minutes of the town board; such minutes shall describe and refer to any map adopted in connection with such change, amendment or supplement and a copy, summary or abstract thereof (exclusive of any map incorporated therein) shall be published once in a newspaper published in the town, if any, or in such newspaper published in the county in which such town may be located having a circulation in such town, as the town board may designate, and affidavits of the publication thereof shall be filed with the town clerk, and

WHEREAS, the Tompkins County Planning Department sent the Town a letter dated July 27, 2020, pursuant to N.Y. General Municipal Law §239-l, -m and -n, opining that the proposed zoning amendments to the Ulysses Zoning Law pose no inter-community or county-wide impacts, and

WHEREAS, on June 23, 2020 the Town Board determined that the action is a Type I action under 6 NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA), and by Resolution Number 2020-137 declared itself Lead Agency for the purpose of conducting an uncoordinated environmental review in connection with approval by the Town; and

WHEREAS, the Town Board on August 11th 2020, made a Negative Declaration of Environmental Significance, and

WHEREAS, due to the Corona Virus/COVID-19 pandemic, the Governor of the State of New York has authorized municipalities to conduct certain public hearings and meetings by virtual means in order to ensure the public health and safety, and

WHEREAS, a public hearing was held via Zoom on the 11th day of August, 2020 following publication of legal notices by the Town Clerk and service of notice on all persons and entities entitled to notice by law, at which hearing all interested persons had the opportunity to be heard on this law, and

NOW THEREFORE, BE IT RESOLVED, that the attached local law, the full text of which the Town Clerk is hereby directed to reproduce in the minutes hereof, is adopted as law, and that the said Local Law be filed with the Secretary of State.

Moved: Mr. Devokaitis

Seconded: Ms. Olson

Discussion: Ms. Sokoni noted that this would be the time for public comment.

Ms. Zahler pointed out that the changes in this amendment will allow quite a bit of flexibility for residents. An accessory dwelling unit of 1200 square feet could be attached to a 3500 square footprint main dwelling unit, and main dwelling units could have additional floors for added usable square footage. Mr. Goldman asked Mr. Zepko for a clarification – can an accessory dwelling unit be attached to a main dwelling unit, in essence creating a building with a 4700 square foot footprint? Mr. Zepko stated that yes, the units could be attached but the accessory dwelling unit would need to be a stand-alone, livable unit with its own entrance, kitchen and bathroom. Mr. Goldman asked other board members if this was their understanding of an accessory dwelling unit. Ms. Olson reminded Mr. Goldman that the board had previously discussed an accessory dwelling unit could be above an attached garage. Ms. Olson feels that accessory dwelling units should not be eliminated from lake shore and conservation zone if they are allowed in the other areas of the town.

Ms. Sokoni read the definition of a “building footprint” from the proposed zoning amendment for clarification.

The area of a lot or site included within the surrounding exterior walls of a building or portion of a building, exclusive of courtyards. In the absence of surrounding exterior walls, the building footprint shall be the area under the horizontal projection of the roof. It includes garages, carports and porches open at the sides but roofed, and accessory structures if attached to the primary residence, but not trellises, patios, and unroofed areas of porch, deck, and balcony. Accessory Dwelling Units attached to a primary residence shall not be considered a part of the primary residence’s footprint.

Mr Boggs asked if building size would still be limited by maximum allowable lot coverage. Ms. Zahler stated that yes, there was a 5% maximum lot coverage. Ms. Zahler also reminded the board that projects would be subject to site plan review, which would help protect environmentally sensitive areas.

Ms. Zahler noted that the options before the board are to vote tonight, delay a vote, or make substantial changes to the proposed law which would start the process over.

Mr. Goldman wanted to be clear that essentially the amendment would allow a 4700 square foot footprint. Mr. Devokaitis added that yes, as long as the 1200 square foot accessory dwelling unit portion of that meets certain criteria. Mr. Devokaitis added that if the town board was comfortable with the accessory dwelling unit built just a foot away from the main dwelling unit, there is not much difference if the units are attached. Mr. Goldman agreed.

Ms. Olson said she doesn't want to create laws that to incentivize asking forgiveness instead of permission. The flexibility of this amendment allows residents to build a variety of configurations. If accessory dwelling units are allowed in other areas of the town, they should be allowed in these zones as well.

Ms. Liddle wanted to confirm that this amendment affects both the Lake Shore and the Conservation zones. She will bring the accessory dwelling unit definition to the attention of the Planning Board. Ms. Zahler explained that when all zones were rezoned they all had accessory dwelling units allowed, but in the Lakeshore and Conservation zones, there was not a corresponding decrease in the number of principal dwelling units. This amendment corrects that oversight.

ROLL CALL VOTE:

Ms. Zahler	aye
Ms. Olson	aye
Mr. Boggs	aye
Mr. Goldman	aye
Mr. Devokaitis	aye

Vote: 5-0

Date Adopted: 8/11/2020

Ms. Zahler thanked town staff, the town board, the town attorney and the planning board for their work on the zoning amendment.

BUDGET UPDATES

Ms. Zahler noted that at the last town board meeting, the board adopted a policy of reserve funds. Tonight, Ms. Wright will go over the current reserve funds. Then at future meetings the town board will consider a series of resolutions re-establishing reserves. (*SEE APPENDIX IV*)

Ms. Wright met with Ms. Sokoni and the town's main auditor at Inero. Both Inero and the State Comptroller suggest re-establishing reserves through Town Board Resolution. Some reserve funds need permissive referendums at the time of creation and others do not. Ms. Wright asked board members if there were questions about the document or about the reserve funds. Ms. Olson asked how Ms. Wright arrived at the reserve documentation. Ms. Wright has read through Comptroller guidance on reserve fund creation and Ms. Koski has found historical documentation of reserve creation and discussion from past town board minutes.

Ms. Sokoni had issued a memo to the board regarding section 6c of General Municipal Law. This section allows boards set aside funds for specific expenses or items (i.e. – snow plow, permissive referendum is required at creation of fund). For types of expenses (i.e. building renovations – no permissive referendum is required until money is spent from fund). Ms. Sokoni has been working with Ms. Wright on reserve documentation and agrees that if the original documentation that shows the creation of reserve funds cannot be found, then re-establishing those reserve funds is the best way forward.

Ms. Zahler reminded the board of a Special Town Board Meeting via zoom to further discuss the budget on Thursday 8/13 at 8am.

TOWN REPORTS:

Mark Devokaitis: attended village board meeting last night. Village expects to end their year with a surplus, and will reinstate the pay raises they had previously rescinded. The village is being conservative with spending. Mr. Devokaitis asked the village for shared decision making around fire and EMS spending for the coming year. The police department is looking at adding body cameras to their officers.

Ms. Sokoni left the meeting at this time.

Ms. Olson: Youth commission met a week ago to decide on fall programming. Ethan Crampton gave an update on the outdoor summer activities he has been able to hold. Students in the Trumansburg district will be attending in person classes two days a week and learning remotely the balance of the week, or have the option of all-remote learning. The commission is looking at incentivizing outdoor activities for youth. There was no BZA meeting last month. The youth commission will be asking for funding from the town but is trying to keep its budget flat for the coming year.

Ms. Zahler noted that the Fire and EMS meeting is set for September 10 at 6pm.

Mr. Boggs: attended the socially distanced annual fire department meeting. Jason Fulton was honored for his 16 years of service and Mr. Boggs was able to present Mr. Fulton with a certificate of appreciation from the Town Board. Lucas Albertsman (fire inspector for the town) has also been hired by the village also. Water – doing homework on the water district in preparation for an upcoming water district meeting. LED light replacement – still working on this project and will keep moving forward.

Mr. Goldman: Planning board has been approving subdivisions, nothing out of the ordinary. The Consortium will be meeting at the end of August where he hopes to get some clarity on health insurance for the coming year.

Ms. Wright: Capital projects: aerator – working with contractor that requires Woman and Minority Owned Business requirement. Seeking a waiver for this requirement as so much of this project is equipment based. HVAC project: on site installation of duct work and low voltage wiring is occurring, contractors are reviewing punch list that came out of the electrical inspection. Second condenser was tested. Cemetery road bridge was red flagged after a recent inspection, now is posted with a 14 ton limit – highway department has been notified.

Ms. Olson asked Ms. Wright and Mr. Goldman about COVID testing under the town's health plans. Ms. Wright will follow up with Ms. Parlato who was looking into that.

Mr. Boggs asked Ms. Wright to explain financial details of the capital projects. Aerator (HA fund) – a new fund created with the 2020 budget. Aerator installation is funded by a WIIA grant. What is not funded by the grant will be funded by an inter-fund loan from the DA Bridge fund. This is a 3 year loan , at the rate of \$17,000 a year as repayment. Municipal Solutions has been advising on the inter-fund loan and on helping to receive reimbursements.

HVAC – NYSERDA Grant. Project needs to be closed out when contractors are done and after Mr. Boggs installs LED bulbs in Town Hall. Ms. Wright hopes to get reimbursed by the end of the year.

Bridge – this is a federal grant which is 95% funded by the federal government, 5% funded by the county. A fund loaned the HB fund \$20,000 as seed money for the project. There will be an inter-fund loan to pay that back to the HB fund.

Ms. Zahler shared that Mr. Washburn, the new code enforcement officer and building inspector, just passed the third portion of his training. Comparing building permits year over year, there are 4 times more value being generated on building permits this year. Ms. Zahler is pleased with the work he's been doing.

Ms. Zahler also shared that Mr. Zepko has been tracking the number of new lots that are being developed. From April-July 2020, there were new lots that have been created. Mr. Zepko is also working on closing out the NYSERDA zoning grant – the town has roughly \$4000 coming from NYSERDA when that grant is closed out.

Ms. Zahler sent letters to TC Sherriff and village police thanking them for their efforts in police reform. Sherriff Osborne sent a letter of thanks and Ms. Zahler will share this with the board.

NEW BUSINESS:

WATER QUALITY PROJECTS RECOMMENDED TO THE CAYUGA WATERSHED INTERMUNICIPAL ORGANIZATIONS

Elizabeth Thomas and Roxanne Marino have been working with the Intermunicipal Organization (IO) on the Town's behalf. Ms. Zahler has learned that the IO is looking for specific project requests for funding. The board should identify projects that would benefit the town and propose those to the IO. Project to consider include:

Ditch remediation strategies and resources to slow nutrient rich runoff from farm fields and field tiles through ditches along Town of Ulysses and County roads, with particular concern related to flash flooding along Glenwood Heights, at the Yacht Club and along the Black Diamond trail.

Assistance in exploring a town drainage local law that would prevent landowners from changing the location of the outflow of drainage from their land.

Intermunicipal advocacy with the Tompkins County Department of Health for a countywide septic system inspection program (or a pilot project in Ulysses).

Initiatives that can focus on improving the quality of well water.

Ms. Olson noted that the planning board has been working on recommendations for drain tiling, which Mr. Zepko noted is under the purview of NYS Ag and Markets. Ms. Olson recommends that Mr. Zepko be included in discussion of any town action on drainage permitting. Ms. Olson noted that Ithaca has taken action that requires sites to keep runoff on premises and the town can consider something similar. Ms. Olson and Mr. Goldman are concerned about well water quality and would like to pursue this issue. Mr. Devokaitis feels that septic inspection is an important issue for lake water quality. Ms. Zahler shared that Cayuga County has a countywide septic inspection program that can be a model for our county. Mr. Boggs reminded the board that Ms. Thomas and Ms. Marino are condensing a list of projects that the board can then consider. Mr. Devokaitis would be willing to work on this project, as would Ms. Olson. Mr. Devokaitis wonders if there are opportunities for water study or water control along the Black Diamond trail.

APPROVAL OF MINUTES

RESOLUTION 2020-160: APPROVAL OF MINUTES

RESOLVED that the Ulysses Town Board approves the minutes the 7/28/20 Regular Town Board Meeting.

Moved: Ms. Olson Seconded: Mr. Boggs

Ms. Zahler aye

Ms. Olson aye
Mr. Boggs aye
Mr. Goldman aye
Mr. Devokaitis aye

Vote: 5-0
Date Adopted: 8/11/2020

APPROVAL OF CLAIMS

RESOLUTION 2020-161: APPROVAL OF CLAIMS

RESOLVED that the Ulysses Town Board has reviewed and approved the following claims:

- HA fund vouchers #19-20 in the amount of \$7,317.75
- HB fund voucher #8-9 in the amount of \$7,100.43
- A-SW funds vouchers #312-351 in the amount of \$59,216.17

Moved: Mr. Devokaitis Seconded: Mr. Boggs

Ms. Zahler aye
Ms. Olson aye
Mr. Boggs aye
Mr. Goldman aye
Mr. Devokaitis aye

Vote: 5-0
Date Adopted: 8/11/2020

PRIVILEGE OF THE FLOOR:

Mr. Houghton asked the board if there would be an opportunity for public feedback during the upcoming budget meetings. Mr. Houghton would be interested in giving input regarding the highway department. Ms. Zahler feels that public involvement early on is valuable and the board will discuss this at the STB meeting on Thursday August 13th.

Ms. Koreman confirmed that there is a free NYS COVID testing site in Binghamton and will ask the county health department to put a link on their website.

Mr. Mcann thanked the board, Ms. Liddle and Mr. Zepko for their work on the zoning amendment.

ADJOURN:

Mr. Goldman moved to adjourn the meeting at 9:03pm. This was seconded by Ms. Olson and passed unanimously.

Respectfully submitted by Sarah Koski on 8/18/20.

APPENDIX I:

TOWN REPORTS:

Nancy Zahler, Town Supervisor:

Supervisor's Report

Nancy Zahler July 29-August 10, 2020

Budget

- Worked with Michelle Wright, attorney Khandi Sokoni and Duane Schoen our accountant to follow up on 7/28 TB questions related to re-establishment of additional reserve funds. Michelle has prepared an outline of all reserve funds, current balances, and notes to indicate which ones need to be re-established. The outline will be reviewed on 8/11 and the actual resolutions will come on August 25, 2020.
- Working with Michelle to prepare information for August 13th meeting to help the Town Board and staff prepare for 2021 budgeting.
- Participating in short and long-term planning and budgeting Water District #3.
 - Carissa and Michael are tracking water losses in the system to prepare for reconciliation with the Town of Ithaca. Nancy and Carissa will follow up with the Town of Ithaca to re-start annual reconciliation meetings.
 - Carissa and Michael are reviewing water loss records and costs and the work group is considering how to charge a more accurate cost for projected loss to users: either through the Operations and Maintenance budget on the annual bill or through an increased water rate billed quarterly.
 - Michael, Chris and Nancy took steps to change our water testing sites to increase frequency at fewer locations. Hydrant #60 which is what the Health Department monitors for TTHMs will continue to be tested. More frequent testing may help us lower our rolling average and expedite compliance with the Health Department's requirements.
 - On Wed. August 5th, Chris Stevenson announced his intention to step away from Water Operator duties to work full-time for the Highway Department. A meeting has been scheduled for August 12th to determine how to manage immediate, short term and longer term water operation duties.

Staffing/Union

- Union members in Highway were scheduled to meet with their Teamster representative on 8/10/20.

- Once that meeting takes place, negotiations to renew or update a one-year contract will begin.
- Followed up with Tompkins County Human Resources to review appointment and exam issues with re: John Zepko and possible options to be discussed on August 19 Executive Session.
- Routinely checking in with Mark Washburn who has completed 3 certification courses successfully
- Bi-weekly zoom staff meetings continue to update staff and provide support.

Recreation

- Director Will Glennon prepared the attached report for the Youth Commission on August 4th. The first modified tennis program ran well last week. We developed a contract agreement to use with the instructors of this and future programs.

Justice and Equity

- Sent follow up letters as agreed to Tompkins County Sheriff and Village Police Department.
- Received an appreciative note back from Sheriff Osborn.

Technology Infrastructure:

- Met with Rene Carver to plan for incorporating zoom participation when in-person meetings resume.
- Jeff Burns, the Town's computer support consultant upgraded the Town's server by adding memory to handle current and future capacity.
- We are arranging a meeting with the County's IT director for consultation on our email and web platforms to assure security and more efficient access.
- Mark Washburn has improved record-keeping using the new tablet. New forms are coming soon.

Jacksonville Community Association

- Met with President Pete Angie and the Board of Directors re: how to access town funds for next phases of restroom installation: water hook up and installation of waste system and pad for restroom building.

Habitat Nature Preserve

- Met with the Advisory Committee to follow up on use of the Habitat by families participating in the Library's first story walk. It was quite successful and not disruptive to residents. A form for future requests is being developed.

- The group approved language for a marker that would explain how the Town obtained the Habitat, recognizing Supervisor Liz Thomas' leadership. A marker will be printed on durable metal and posted at the entry to the trail.

COVID

- Building Re-opening underway and logistics are being tweaked to assure public access, staff and public safety and efficient flow through the buildings.
- Facilitated bi-weekly community leaders COVID call.
- Participated in County's bi-weekly call.
- Reached out to TCCOG to arrange access for Health Department resource to attend in August.
- Bi-weekly calls with Supervisors to review budget impacts, plans, and re-opening strategies.

Responded to resident questions and concerns:

- Researched status of noise ordinance in our zoning in response to concerns re: weddings at the Inn at Taughannock.
- Mark Washburn visited the Inn at Taughannock to make sure construction was following approved plans and his findings were reported back to the concerned resident.
- Water District 3 user had questions about hydrant flushing and testing and Michael Boggs agreed to follow up.
- Provided information on zoning process to a resident concerned about the Town Board plans.

External meetings and networking

- Participated on County Census Complete Count Committee and shared information with TCCOG
- Sent a list serve notice reminding residents to complete the census, especially those with PO Boxes
- Worked with Liz Thomas and Roxanne Marino on Watershed IO projects list for review on 8/11.
- Mark Washburn has developed a relationship with the Tburg Fire Department and attended a training burn of a barn on Rice Road at the owner's request.
- Arranged for the Town of Ithaca to have Martin Kelly, their electrical inspector, inspect our HVAC project as it comes to conclusion.
- Provided information to Town of Caroline re: Town Hall landscaping changes to manage runoff.
- Networking call with Ben Carver re: Village relations and youth program.

Michelle Wright, 2nd Deputy Supervisor:

Work done between: 7/13 – 8/7/2020

Emergency Related

- Weekly standing meetings have slowed down and have become bi-weekly.
- Sanitization of Town Hall when last in building for day.
- Communications pertaining to NYS executive orders and related action items.
- Maintaining communication with FEMA/NYS DHSES
 - Contact with NYS DHSES manager
 - Attended required webinar
- Special Projects
 - Next round of ROOP development
 - Internal and external communications pertaining to use of Town Hall
 - Communications with County DOER
 - Obtained touchless thermometer for Town Hall
 - Work with Clerk's Office: sanitation supplies and signage for Town Hall

Active Grant Updates

- ***NYSERDA Heat Pump Grant***
 - Internal Activities: on-going site support and weekly meetings regarding installation, other coordination with contractor, working committee meeting.
 - Engineer Update: approval of second pay application paid in July.
 - Timeline update: Unfortunately, due to the fact that Interstate is understaffed and have been trying to hire (to no avail), along with the on-going emergency and with a hot start to the summer, Interstate is estimating that construction will be complete by the **second** week of August.
- ***Cemetery Road Bridge over Trumansburg Creek (NYSDOT funded with FHWA money, Barton & Loguidice Engineers)***
 - Internal activities:
 - Reimbursement pay application submitted.
 - Funding update via the Ithaca-Tompkins County Transportation Council (ITCTC): projects with federal funding are encouraged to keep their

projects on time and moving forward.

- Engineer Update:
 - “We are continuing with our final design/contract drawing efforts and that is on track. We are continuing the coordination with NYSDOT on the ROW front (they have comments/our surveyor responds or makes revisions, etc.). Utility relocations are also in the works, but we have some time on that.”
 - After a recent inspection, the Cemetery Road bridge received a red flag (which went to the County) due to the corrosion of the steel girders. Signs have been posted on that bridge for a 14 ton limit.
- Project Timeline:

When	What	Status
September 2018	Project Awarded Bridge NY Funding	Complete
October 2018	Project Added to STIP/TIP	Complete
January 2019	State-Local Agreement Executed	Complete
January 2019	Design Consultant Contract Executed	Complete
January 2020	Design sent to NYSDOT for review	Complete
March 2, 2020	Public Meeting	Meeting held 3/2
January 2021	ROW Acquisition Completed	NYS will conduct, this is in process
January 2021	PS&E Approved by County & State	
February 2021	Project Letting	
June 2021	Begin Construction	
October 2021	Complete Construction	

- **WD #3 WIIA Grant (EFC funded, MRB Engineers)**

- Verbal update at Town Board meeting based on scheduled 8/10 phone conversation with MRB
- Internal activities:
 - Internal financing work.
 - Pre-construction meeting along with execution of contract.
- Revised Project Timeline:

Advertise to Town	5/21/20
Plans and Specs Available for Bidders	5/26/20
Pre-bid Meeting	6/2/20
Bid Opening	6/19/20
Provide Bid Tabulation & Summary of Bids to Town	TBD
Board Meeting to Award Contracts	6/23/20

Start of Construction	August 2020
Substantial Completion of Construction (91 days)	10/27/20
Final Completion of Construction (30 days)	11/27/20

Other Work

Transportation Council Updates

Notes from meeting on 7/21/2020

- *Lime bike service ended and there is a county committee researching marketing analysis for City of Ithaca to bring bike share back to the community. Data for two years, report being put together. Used it intensely.*
- *NYS DOT will move to new their facility by the end of this year. Tim Louge working with OGS on getting permanent easement due to water from trail, auction possible on the property spring of next year.*
- *Sidewalks being installed from Aurora Street to Ithaca College.*
- *College move in dates: around August 23rd plan is to test them all and put them in quarantine until tests come back. Student testing site on campus can test 2,000 per week.*
- *Inter-city bus stop: most city-to-city operators are back up and running. Still anticipate two lanes at Green Street, determining with DOT and applicant if it can operate at the current location in front of Urban Outfitters. Committee working on it which includes DIA, alternative locations being evaluated.*
- *The recording of the meeting can be found here:*

Topic: ITCTC Planning Committee

Date: Jul 21, 2020 09:43 AM Eastern Time (US and Canada)

https://us02web.zoom.us/rec/share/yMhrDoms_H1Je5XM9XDScYAHN6vgX6a82nUbr6FfykZnqmKAPFFL_kFRwmCAxNLe Password: p8A&Gzb0

Curry Road Structure Replacement

We should start thinking about getting a quote for this project in anticipation of a quick turnaround time for funding application submission.

Intending to engage ITCTC regarding ways in which to prepare for funding applications for this structure: CULVERT-NY and if letters of support should be sought in anticipation of an application.

I am leaving this item in the report as a place marker until we find funding and get this structure replaced.

Other Financially Related & Bookkeeper Supervision

- Communications with the firm that does our GASB 75 actuary reporting
 - For posterity's sake, a note that this service is conducted through the Consortium.
- Reserve reestablishment project.
- COVID budget on-going YTD analysis.
 - Individual meetings with departments to assess COVID budget cuts and introductions to 2021 budgeting process.
- Reserve use for 2020 budget plan development and related communications.
- On-going supervision of closing monthly financial books, corrections and other oversight.
- Payroll supervision.
- On-going review of expenditures, vouchering process.
- 2021 budget prep activities.
 - Historic fund balance use document creation

Water District 3

- Regular meetings regarding a variety of aspects: budgeting, reconciliation, operations, testing, etc.

Meetings and Trainings

- 7/13/2020: County-wide Hazard Mitigation Meeting
- 7/29/2020
 - NYSOSC Local Sales Tax: Trends and Sharing Agreements
 - Notes and slides from this webinar distributed to Town Board

Upcoming

- *Budget season has begun: the creation of the 2021 budget will translate into the majority of work on a weekly basis through budget adoption.*
- *Close out work related to HVAC project: LED and insulation work post HVAC installation*

and testing.

- *Ongoing work with 2020 budget redesign*
- *WIIA grant HA fund work related to construction*

John Zepko, Town Planner:

Planning & Zoning Updates

John Zepko, Environmental Planner, CPESC,
CFM Reporting Period 1 July – 31 July 2020

Planning Board

- 7 July meeting
- 21 July meeting

Board of Zoning Appeals

- No meeting in July

Planner Activity

- Cleaner Greener Grant (39053) - Responded to comments from NYSERDA on Draft Final Report and Project Benefit Metric Report. Submitted quarterly report for the time period of Q4 – 2017 to Q4-2019. Waiting on review of materials from NYSERDA Project Manager
- 13 July – Attended Tompkins County Resiliency Plan - Planning Partnership meeting
- 14 July – Attended Town Board meeting to discuss amending the max building footprint in LS and CZ zones
- 21 July – met w/ Supervisor Zahler & Deputy Supervisor Wright to discuss 2021 budgeting process
- 28 July - Attended Town Board meeting to discuss amending the max building footprint in LS and CZ zones

Zoning Enforcement

- Conducted site visit of 1149 Taughannock Blvd to ensure compliance with site plan

approval and environmental protections. Project is in compliance with Town of Ulysses approvals and permits.

- Conducted site visit of Inn at Taughannock to ensure compliance with site plan approvals. Project is in conformance with Town of Ulysses approvals and permits.

Hazard Mitigation Plan

Staff is coordinating to complete portions of the Town of Ulysses annex of the Tompkins County Multi- Jurisdictional All Hazard Mitigation Plan. Historic information pertaining to the number of homes built, the number of homes built in a flood plain, as well information regarding historic emergencies/weather events, as and the Town’s current ability to respond to future emergencies has been gathered. Meetings with the project consultant (TetraTech) have occurred and a meeting of the stakeholders (Tompkins County communities and partners) has been scheduled for late August.

Board Activity 2020

<u>Planning Board</u>				
Date	Parcel	Property Address	Project	# New Lots
4/23/2020	22.-5-18	Waterburg Rd	Lot Line Adjustment	0
5/5/2020	23.-3-6	5410 Pine Ridge Rd	Minor Sub	1
6/2/2020	22.-5-6.2	Lyke Rd	Minor Sub	1
6/3/2020	34.-3-24.3	4398 Iradell Rd	Lot Line Adjustment	0
6/28/2020	12.-3-4	4031 South St	Lot Line Adjustment	0
7/2/2020	20.-4-1.2	4225 Cold Springs	Lot Line Adjustment	0
7/2/2020	19.-1-7.1	2112 Agard Rd	Lot Line Adjustment	0
7/7/2020	18.-4-33	2107 Houghton Rd	Minor Sub	1
7/7/2020	31.-2-8.2	1149 Taughannock	Site Plan (res)	0
7/21/2020	12.-4-4	4487 Rabbit Run	Major Sub	3
7/21/2020	19.-4-8.2	2101 Agard Rd	Minor Sub	1

8/4/2020	31.-2-6	1153 Taughannock	Site Plan (res)	0
8/4/2020	33.-5-3.1	1616 Trumansburg Rd	Site Plan (comm)	0
			Total New Lots	7
<u>Board of Zoning Appeals</u>				
Date	Parcel	Property Address	Variance	
6/17/2020	16.-1-16	1617 TaughannockBlvd	Area Var	
6/17/2020	31.-2-6	1153 Tauhanock	Area Var	

Scott Stewart, Highway Superintendent:

August Report

IMPROVEMENTS:

Borrowed Bulldozer from Tompkins County Highway and used it to level off our yard outback.

REPAIRS:

T22 Steering Hose

T5 New Brakes

5100E New Tires and Hydraulic Filter

DITCHING:

Van Liew Rd

Lyke Rd

Colegrove Rd

Maplewood Rd

FALLEN TREES:

Perry City Rd

Krums Corners Rd

Lake St

Mark Washburn, Code Enforcement Officer:

Buildings & Code Enforcement Report for *July 2020*

Submitted at august 2020 Town Board Meeting

Building Permits issued	13
Plan Reviews	8
Certificate of Occupancy issued	2
Certificate of Compliance issued	4
Complaints Received	2
Complaints Resolved	1
Inspections (Footers, Foundations, Plumbing, Insulation, roofing, Pools, Etc.)	4
New Site Inspections	5
Building Review Consultations (pre-plan meetings, Future Building/Remodeling)	3
Fire Safety Inspections	1
Code Training Seminars	9b and 9c Code training completed
County Assessment, Town, DOS Reports	1
Open property in violation cases	5
Property violations resolved	2

Value of Permits issued: \$811957.00

Building Permit fees collected for month: \$3176.00

Respectfully Submitted,

Mark Washburn

Mark Washburn – Building & Fire Code Enforcement Officer

Will Glennon, Recreation Director:

Recreation Update 8/4/20

Tennis Clinic: We have 12 registered participants and the program is running this week August 3-7.

Movie night series: In conjunction with Mark Costa and the TCFA we have been coordinating an end of summer movie series to be held at the farmers market. The proposed kickoff date is August 21st. This program will not specifically be youth oriented.

Soccer: I have met with Emily Ouckama, President of Taughannock Soccer Club, about a partnership with recreation to offer soccer for children ages 4-8. The target start date would be mid-September for a 6-8 week program.

Cross-Country: I spoke to two of the XC coaches about starting (re-starting) a fall running program. The coaches are on board to provide assistance. This program would also start mid-September and would be a 6-8 week program. The ages are TBD, but the target would be 9-12 year olds. There are meets that normally take place in this program at Dryden, Groton, and Ithaca.

Hiking: I have a person who can provide a hiking program as a 'workshop' and a weekly weekend program. I am also meeting with the Director of Communications for the Finger Lakes Trail organization about future programming. The FLT has programs for adults that promotes group hikes, volunteer trail maintenance, and general environmental advocacy. This could work out for dual programming (adult/child) moving forward.

Arts: I am meeting with Lily Gershon about offering an art program centered around creating crankies. If you are unfamiliar with crankies they are fun to make and present. Check out thecrankiefactory.com to learn more. Mark Costa at TCFA has expressed interest in hosting.

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
<p>i. Coastal Resources.</p> <p><i>i.</i> Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>ii.</i> Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>iii.</i> Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>		

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? Yes No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? Yes No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) Yes No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? Yes No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? _____

b. What police or other public protection forces serve the project site?

c. Which fire protection and emergency medical services serve the project site?

d. What parks serve the project site?

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source.

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

• Do existing sewer lines serve the project site? Yes No
 • Will a line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

 • If to surface waters, identify receiving water bodies or wetlands: _____

• Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

<p><i>i.</i> During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p><i>ii.</i> During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
---	--

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ tons per _____ (unit of time)
 • Operation : _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____

 • Operation: _____

 iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: _____

 • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____
 ii. If mix of uses, generally describe:

b. Land uses and coverytypes on the project site.

Land use or Coverytype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities:

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____ _____ <i>ii.</i> Source(s) of description or evaluation: _____ <i>iii.</i> Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres</p>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> Species and listing (endangered or threatened): _____ _____ _____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> Species and listing: _____ _____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>i.</i> If Yes: acreage(s) on project site? _____ <i>ii.</i> Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature <i>ii.</i> Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: _____ <i>iii.</i> Designating agency and date: _____</p>	

<p>e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District</p> <p style="margin-left: 20px;">ii. Name: _____</p> <p style="margin-left: 20px;">iii. Brief description of attributes on which listing is based: _____</p>
<p>f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe possible resource(s): _____</p> <p style="margin-left: 20px;">ii. Basis for identification: _____</p>
<p>h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Identify resource: _____</p> <p style="margin-left: 20px;">ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</p> <p style="margin-left: 20px;">iii. Distance between project and resource: _____ miles.</p>
<p>i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Identify the name of the river and its designation: _____</p> <p style="margin-left: 20px;">ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Project :

Date :

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency’s reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land			
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)		<input type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) <input type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) <input type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. NO YES
 (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
If “Yes”, answer questions a - h. If “No”, move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding
 The proposed action may result in development on lands subject to flooding. NO YES
 (See Part 1. E.2)
If “Yes”, answer questions a - g. If “No”, move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air			
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals			
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>				<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>				<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>		

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered “Moderate to large impact may occur”, continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property’s setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If “Yes”, answer questions a - e. If “No”, go to Section 12.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If “Yes”, answer questions a - c. If “No”, go to Section 13.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation The proposed action may result in a change to existing transportation systems. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.j) <i>If "Yes", answer questions a - f. If "No", go to Section 14.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy The proposed action may cause an increase in the use of any form of energy. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light The proposed action may result in an increase in noise, odors, or outdoor lighting. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health			
The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

17. Consistency with Community Plans			
The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If “Yes”, answer questions a - h. If “No”, go to Section 18.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character			
The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If “Yes”, answer questions a - g. If “No”, proceed to Part 3.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

Project :

Date :

UPDATED 8/10/20

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

APPENDIX III

LOCAL LAW No. 1 of 2020

A LOCAL LAW AMENDING TOWN OF ULYSSES ZONING LAW REGARDING LAKESHORE AND CONSERVATION ZONES.

SECTION 1. LEGISLATIVE HISTORY AND PURPOSE.

The Town Board of the Town of Ulysses (Town Board) enacted Local Law No. 3 of 2019 on December 10, 2019, which law was filed with the New York State Secretary of State on December 16, 2019. Local Law No. 3 of 2019 repealed in its entirety the Town of Ulysses Zoning Law adopted by Local Law No. 3 of 2013, amended from time to time, and codified as Chapter 212 of the Laws of the Town of Ulysses, and in its place adopted a new zoning law.

The Town Board now seeks to further refine the Ulysses Zoning Law by revising the maximum foot print of buildings in the Lake Shore Zone (LS) and Conservation Zone (CZ), as well as to refine building standards in these zones to protect the impact of development on the steep slopes and natural resources according to the goals set in the Ulysses Comprehensive Plan of 2009.

SECTION 2. AUTHORITY. This Local Law is enacted pursuant to the statutory authority conferred on the Town of Ulysses by Municipal Home Rule Law Section 10, and New York Town Law Section 264.

SECTION 3. Chapter 212 of the Codified Laws of the Town of Ulysses is hereby amended as follows: Article VIII

LS — Lakeshore Zone

§ 212-42 Purpose.

A. The purposes of the Lakeshore Zone are:

- (1) To protect the fragile environment of the lakeshore, that area east of State Route 89 to the center line of Cayuga Lake, in accordance with the Town of Ulysses Comprehensive Plan (2009);
- (2) To provide a regulatory framework through which development can occur with minimal environmental impact; and
- (3) To develop design standards for houses and accessory buildings that create a harmonious effect for the natural environment and the residents.

- B. In particular, the following are important aspects or considerations for the Lakeshore Zone:
- (1) Among the important natural and ecological features of the Lakeshore Zone are steep slopes, mature forests, fragile cliffs, tributaries, and seasonal streams feeding into Cayuga Lake.
 - (2) In recognition of their natural and ecological significance, several areas of the Lakeshore Zone have been designated as unique natural areas by the Tompkins County Environmental Management Council.
 - (3) The Town has designated a slope overlay area, which recognizes six soil types that when disturbed are significantly erodible and unstable based on their characteristics and slope steepness (see Article **IV**, Terminology).
- C. Nothing in these regulations is intended to require or permit activities which contravene any laws, rules, or regulations or permits of the United States or New York State, or any agency thereof, nor are any of the provisions intended to supersede any requirements for obtaining any permits or approvals required by the United States or New York State, or any agency thereof.

§ 212-43 Permitted uses.

- A. Only the following buildings or uses are permitted in this district, and site plan approval, pursuant to the provisions of Article **III**, § **212-19**, is required in unique natural areas and slope overlay areas:
- (1) Single-family residences and their accessory buildings.
 - (2) Two-family residences and their accessory buildings.
 - (3) Any municipal or public utility purpose necessary to the maintenance of utility services except that substations and similar structures shall be subject to the same setback requirements that apply to residences.

§ 212-44 Permitted accessory uses.

- A. The following are permitted accessory uses, which are customarily incidental to the permitted uses listed above in § **212-43**:
- (1) Accessory buildings, as defined in Article **IV** and subject to provisions of Article **XXIV**, § **212-167**: *Accessory Buildings*.
 - (2) Accessory Dwelling Unit, subject to the provisions of Article **XX**, § **212-128**.
 - (3) Elder Cottage, subject to the provisions of Article **XX**, § 212-139.5.
 - (4) Open-sided elevators/lifts.

- (5) Temporary buildings, as defined in Article **IV**.
 - (6) Minor solar collection system subject to the provisions of Article **XX**, § 212-139.1.
[Added 11-24-2015 by L.L. No. 3-2015]
- B. Site plan approval, pursuant to the provisions of Article **III**, § **212-19**, is required in unique natural areas and slope overlay areas for the permitted accessory uses listed in this section.
- C. Permitted accessory uses without site plan approval. Such uses as are customarily incidental to the permitted uses listed above in this article, § **212-43**.
- (1) Signs as regulated under Article **XX**, § **212-122**
 - (2) Home occupations, where no more than one person residing off the premises is employed.

§ 212-45 Uses permitted by site plan approval.

The following uses are allowed upon approval of a site plan by the Planning Board and subject to the design standards set forth in relevant sections of Article **XX**:

- A. Adult care, family.
- B. Farm Operation.
- C. Bed-and-breakfast operations where such is part of the residence.
- D. Child care, family.
- E. Professional offices where:
 - 1) Such office is part of the residence property; and
 - 2) No more than three persons residing off the premises are employed on site.

§ 212-46 Uses allowed by special permit.

The following uses are allowed upon approval of a special permit pursuant to Article **III**, § **212-18**, subject to the design standards set forth in relevant sections of Article **XX** and site plan review by the Planning Board:

- A. Fire stations or other public buildings necessary to the protection of or servicing of a neighborhood.
- B. Restaurants.
- C. Public or nonprofit owned boat launching site, swimming beach, picnic area.

- D. Public or nonprofit owned park or playground, including accessory buildings and improvements.

§ 212-47 Lot area and yard requirements.

- A. There shall be no more than one principal building on any lot in the LS-Lakeshore Zone.
- B. Minimum lot area shall be two acres for lake front lots and five acres for non-lake front lots.
- C. Minimum lot width at the mean high-water elevation (MHWE) shall be 250 feet and minimum lot width at the road frontage shall be 250 feet for all non-flag lots.
- D. Minimum lot depth shall be 250 feet for lake front lots and 450 feet for non-lake front lots.
- E. Minimum setback, front and rear, shall be 50 feet from the highway right-of-way, and 50 feet where the lot abuts the lake; the MHWE shall be used for setback measurement. Docks, boat hoists, and boat ramps are permitted within the setback area.
- F. Minimum side yard setbacks shall be 15 feet, except for a corner lot fronting on two public streets, where the minimum yard setback for the side yard to the street or road shall be 25 feet.
- G. Maximum building height for the principal dwelling shall be 32 feet above average grade measured at the building perimeter.
- H. Maximum lot coverage for all building footprints shall be 5% of the lot area. For lots with a single-family or a two-family residence, lot coverage calculations do not include driveways, walkways, or parking areas. The term "building footprint" is defined in Article IV, §212-22.
- I. Streams and wetlands are required to have a protective setback as defined in § 212-124.
- J. No parking areas shall be constructed within 50 feet of the MHWE.
- K. Flag lots shall meet minimum lake frontage (250 feet) and lot area (two acre) requirements. Lot area excludes the pole. The pole shall connect to the road, not the lake. Non-lakeshore flag lots shall meet minimum lot area (five acres) excluding the pole. See Article **XX**, Design Standards, § **212-130**.
- L. The above notwithstanding, in the case of a lot with frontage on the lake, accessory uses such as pump houses, docks, boat ramps and boat hoists typically associated with water-oriented recreational pursuits are permitted within the front yard setback area fronting on the lake; provided, however, that they are located outside of the required side yard setback areas and conform to the regulations or permits of the United States

or New York State.

M. For the purposes of cluster development on a lake front lot, one dwelling unit will be allowed per 150 feet of lake frontage.

N. Maximum building footprint shall be 3,500 square feet, except for Accessory Dwelling Units which shall have a maximum floor area of 1,200 square feet pursuant to Article XX, §212-128.

Lot Area and Yard Requirements Summary

Requirement	Lake Front	Non-Lake Front
Lot coverage, maximum (percent)	5	5
Building height, maximum (feet)	32	32
Lot area, minimum (acres)	2	5
Maximum footprint of principal building	3,500	3,500
Lakeshore frontage, minimum (feet)	250	Not applicable
Lot width at road frontage, minimum (feet)	250	250
Lot depth, minimum (feet)	250	450
Setback from lakeshore, minimum, measured from MHWE (feet)	50	Not applicable
Setback from road or rear property line (feet)	50	50
Side yard setback, minimum (feet)	15	15
Structure or parking area or road setback from	50	50

Lot Area and Yard Requirements Summary

Requirement	Lake Front	Non-Lake Front
perennial/intermittent stream, minimum (not in unique natural area or steep slope overlay (feet)		
Structure or parking area or road setback from any perennial/intermittent streams, or Federal wetland edge in unique natural area and steep slope overlay areas, minimum (feet).	75	75
Structure or parking area or road setback from any State wetland edge.	100	100
Structure or parking area or road setback from any Federally or locally designated wetland edge.	50 – 100 (see §212-48 below)	50-100 (see §212-48 below)

§ 212-48 Design standards.

In the event of any conflict between the provisions of this § 212-48 and other provisions of this chapter, the provisions of this section shall prevail.

A. Streams.

- (1) Perennial and intermittent streams are, and wetlands may become, prominent features of the Lakeshore Zone and the condition of these water bodies directly affects the health of Cayuga Lake and the various creatures that depend on the water for sustenance. As such, it is the intent of these Lakeshore Zone regulations to ensure the continued preservation and health of these many Cayuga Lake tributaries for current and future generations.
- (2) For the purposes of this section, the area of a wetland is defined by both state and federal governing regulations. Buffer areas apply to federally protected wetlands greater than 0.1 acre.
- (3) Requirements.
 - (a) To the extent possible, perennial and intermittent streams shall be protected

from sediment, effluent, sewage, and driveway runoff.

- (b) Diverting or altering the course of perennial or intermittent streams shall be prohibited, except where a NYSDEC permit is obtained in advance of starting work.
 - (c) Unless otherwise authorized by the Planning Board or state or federal agency, no disturbance as listed previously in this section shall be located within 100 feet of any NY State regulated wetland or 50 feet from a Federally or locally regulated wetland.
 - (d) During the site plan approval process where there is evidence of a wetland, the Planning Board may require a wetland delineation study to determine potential impacts of development on said wetland.
- (4) Recommendations.
- (a) Plowing of salt laden snow from driveways into streams should be avoided.
 - (b) The proximity of docks to mouths of tributaries should consider natural variation in stream boundary location so as to not interfere with stream flow over time.
 - (c) Stream bank vegetation should be encouraged to minimize erosion. Where necessary, stream banks should be replanted with native species.
 - (d) Flow of water in Cayuga Lake tributaries should not be impeded by human-made structures in or spanning streams.

B. Vegetation and landscape.

- (1) The intent of the Town of Ulysses is to preserve and encourage vegetation, especially noninvasive trees and shrubs, in the Lakeshore Zone in order to prevent erosion, sedimentation of the lake and streams, and maintain the rural, scenic nature of the Town. The intent of this section is to encourage landowners in this district to preserve and encourage vegetation for the benefit of current and future residents of the Town.
- (2) The intent of the Town of Ulysses is to preserve the natural features of the Lakeshore Zone and, as such, to allow development that uses mechanisms that minimize disruption of the current ecological balance. The Zoning Officer and Planning Board shall review all development with the following guidelines when reviewing a site plan for approval.
- (3) Requirements. Tree removal, except clear-cutting, is allowed in the Lakeshore Zone outside of unique natural areas or slope overlay areas. Tree removal is

allowed in the Lakeshore Zone in the unique natural areas or slope overlay areas according to the following terms and conditions:

- (a) Without Town approval: a tree or trees whose location and conditions combine to make it a threat to human life or property.
 - (b) With the approval of the Zoning Officer and the possession of a valid building permit: those trees that are in the footprint of a construction site, septic system, parking areas, and the driveway access.
 - (c) Clear-cutting of forest stands for any use other than necessary minimal clearing for the requirements of a building project is prohibited.
 - (d) In unique natural areas or slope overlay areas, a woodland management plan shall be filed with and approved by the Zoning Officer and/or the Town's consulting forester for multiple trees removed for the landowner's firewood or lumber use, and for forest management and forest improvement. A woodland management plan shall be prepared by a professional forester with Society of American Foresters certification or by a cooperating consulting forester with the New York State Department of Environmental Conservation.
- (4) Recommendations.
- (a) In areas outside of unique natural areas and slope overlay areas, a woodland management plan is recommended when removing multiple trees for the landowner's firewood or lumber use and for forest management and forest improvement.
 - (b) Existing noninvasive vegetation should be maintained to the extent practicable to minimize runoff.
 - (c) Buffer areas proximal to water bodies are to be promoted using noninvasive plants to protect water resources.
 - (d) Removal of trees for the purpose of expanding a view is discouraged.
 - (e) Removal of trees for the purpose of expanding sunlight exposure is discouraged.
 - (f) Native plants should be encouraged, especially shrubs and trees that produce edible fruit and nuts for wildlife.
 - (g) Removal of invasive plants (garlic mustard, swallowwort, barberry, honeysuckle, buckthorn, multiflora rose, Russian olive and Norway maple, etc.) is encouraged so long as this effort does not contribute to significant soil

disturbance or erosion.

- (h) Wildlife habitats, biological corridors, contiguous forests, and open space linkages should be encouraged and preserved.
- (i) Dead trees that do not pose a threat to life, property or a healthy forest should be left to provide wildlife habitat for both birds and animals.
- (j) New development should not compromise scenic views, in particular viewing points from adjacent roads and trails.
- (k) Regrading should blend in with the natural contours and undulations of the land.
- (l) Buildings proposed to be located within significant viewing areas should be screened and landscaped to minimize their intrusion on the character of the area.
- (m) Building design should harmonize with the natural setting.
- (n) Building materials should harmonize with their natural setting and be compatible with neighboring land uses.

C. Stormwater

1. In Unique Natural Areas and/or Steep Slope Overlay areas that are subject to site plan review, the following standards apply:
2. Any alteration of the hydrology of the site shall be minimized and/or mitigated so as to minimize the impact on water quality, peak discharge, groundwater recharge, and drainage patterns. To the extent possible, the quantity, quality, and timing of stormwater runoff during and after development shall not be substantially altered from pre-development conditions. The recommended technical standards for the design of post-construction structures are detailed in the "New York State Stormwater Management Design Manual," as revised. In reviewing the adequacy of an applicant's stormwater management plans, the Planning Board may seek recommendations from a licensed engineer selected by the Town and paid for by the applicant.
3. Priority should be given to maintaining natural drainage systems, including perennial and intermittent streams, swales and drainage ditches.
4. Drainage of stormwater shall not cause erosion, siltation, contribute to slope failures, pollute groundwater or cause damage to or flooding of adjacent or downstream properties.
5. The Planning Board may require the developer or property owner to submit the following:

- a) Stormwater Pollution Prevention Plan (SWPPP), prepared by a NYS licensed engineer or other qualified professional. The contents of the SWPPP and qualifications of qualified professionals are specified in the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activity.
- b) A statement of the proposed stormwater management objectives.
- c) A description of the proposed structural and vegetative stormwater measures that will be utilized to ensure that the quantity, temporal distribution and quality of stormwater runoff during and after development are not substantially altered from pre-development conditions. This will include appropriate plans, design data, calculations, and other information.
- d) A maintenance plan, which describes the type and frequency of maintenance required by the stormwater management facilities utilized and the arrangements that will be made to ensure long-term maintenance of these facilities. Operation, maintenance, and any necessary repairs are the responsibility of the property owner or his/her designee. Storm water management facilities shall have adequate easements to permit the Town to inspect and, if necessary, to take corrective action should the owner fail to properly maintain the system. If corrective action by the Town is required, incurred costs are the responsibility of the property owner.
- e) A flood hazard analysis for any development located within or adjacent to the designated floodplain.

D. Soil and sediment control.

- (1) The goals for erosion and sediment control are (1) to minimize the opportunity for soil to be moved by wind, precipitation and runoff and (2) to contain sediment that does move close to its place of origin and thus prevent it from reaching a water body or damaging other lands. In order to ensure that the land will be developed with a minimum amount of soil erosion and to protect the natural character of on-site and off-site water bodies, the Planning Board shall require the developer to follow certain erosion control practices. The standards for erosion and sediment control are as follows:
- (2) A structure or parking area shall have a minimum setback to perennial and intermittent streams of 50 feet or 75 feet if within a Unique Natural Area or Steep Slope Overlay, as measured from the top edge of the slope rising from the bank of the stream. See § **212-124.B**.
- (3) On sites within the slope overlay area or unique natural area, there shall be no excavation, grading or filling without the submission to the Zoning Officer of an

excavation, fill, and grading permit. Excavation, grading or filling of more than 10 cubic yards is subject to site plan approval. The Planning Board may seek recommendations from the Town Engineer, and the associated cost shall be paid for by the applicant. This provision is not applicable to projects with a valid permit from a county, state, or federal agency; nor is it applicable to any projects with current site plan approval.

- (4) In addition to the requirements of this article, any construction, grading, or other activities shall be conducted in accordance with any federal, state, or other local law or requirement pertaining to such activity, including, but not limited to, any requirements of the New York State Department of Environmental Conservation and the United States Army Corps of Engineers.
- (5) Roads and driveways should follow existing contours to the extent practicable to minimize erosion from cuts and fills.
- (6) In Unique Natural Areas and/or Steep Slope Overlay areas that are subject to site plan review, the following standards apply:
 - a. The Planning Board may require the developer to submit an erosion and sediment control plan, the contents of which are specified in the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activity.
 - b. Erosion and sediment control practices shall be consistent with requirements of the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activity. A permit is generally required for construction activities that disturb one or more acre of land.
 - c. The recommended technical standards for erosion and sedimentation control are detailed in the "New York Standards and Specifications for Erosion and Sediment Control" published by the Empire State Chapter of the Soil and Water Conservation Society, as revised.
 - d. The development plan should be consistent with the topography, soils, and other physical characteristics of the site so as to minimize the erosion potential and avoid disturbance of environmentally sensitive areas.
 - e. Existing vegetation on the project site should be retained and protected as much as possible to minimize soil loss from the project site. (This will also minimize erosion and sediment control costs.)
 - f. Erosion and sediment control measures should be constructed prior to beginning any land disturbances. All runoff from disturbed areas should be directed to the sediment control devices. These devices should not be removed until the disturbed land areas are stabilized.

- g. The timing and sequence of construction activities shall expose the smallest practical area of land at any one time during the development. Temporary vegetation and/or mulching should be used to protect critical areas. Permanent vegetation shall be established as soon as practicable. Construction will not be considered complete until all disturbed areas are successfully seeded or stabilized with erosion control materials.

E. Driveways and parking.

(1) Requirements.

- (a) For new impervious surfaces proposed for driveways, parking areas, or walkways in unique natural areas or slope overlay areas, site plan review procedures shall be followed, and the Planning Board may seek recommendations from a licensed engineer selected by the Town and paid for by the applicant.
- (b) For safety purposes, parking areas shall be designed and built to avoid the necessity for drivers to back their vehicles onto Route 89.

(2) Recommendations.

- (a) Semi-pervious and pervious surfaces for driveways and parking areas are encouraged to minimize runoff and erosion.
- (b) Driveways and parking areas should be designed to include a combination of pervious and impervious surface materials as needed to provide for safe passage of traffic and to minimize the total area of impervious surface, which would contribute to runoff.
- (c) Driveways and parking areas should follow contour lines of the land as much as possible.
- (d) Excavation and regrading of slopes for parking areas should be minimized.

§ 212-49 Limitations on subdivision of parent tracts.

Any tract or parcel of land in common contiguous ownership at the time of the creation of this zone on December 17, 2013, subject to other normally applicable subdivision laws and regulations, may be subdivided to create up to and not more than three lots.

Article IX
CZ — Conservation Zone

§ 212-50 Purpose.

- A. The purposes of the Conservation Zone are:
- (1) To preserve the outstanding natural features in the Town of Ulysses in accordance with the Town of Ulysses Comprehensive Plan (2009);
 - (2) To provide a regulatory framework through which development can occur with minimal environmental impact;
 - (3) To preserve existing areas of contiguous open space, prevent destruction of natural areas, preserve existing and potential agricultural land, and promote mechanisms that protect these areas, such as enlarged stream buffer areas, conservation easements, and deed restrictions when considering any future land development; and
 - (4) To preserve the scenic beauty of the area to promote tourism as an important benefit to the Town of Ulysses.
- B. In particular, the following are important aspects or considerations for the Conservation Zone:
- (1) Among the natural values and ecological importance of this area are the mature forest, plant and wildlife habitat, numerous streams, and natural character. The Conservation Zone contains large areas of steep slopes, wetlands, and highly erodible soil, where any future development may have an adverse environmental impact on both the land and Cayuga Lake.
 - (2) In recognition of its natural and ecological significance, several large areas of the Conservation Zone have been designated as unique natural areas by the Tompkins County Environmental Management Council.
 - (3) The Town has designated a slope overlay area, which recognizes six soil types that when disturbed are significantly erodible and unstable based on their characteristics and slope steepness (see Article **IV**, Terminology).
- C. Nothing in these regulations is intended to require or permit activities which contravene any laws, rules, or regulations or permits of the United States or New York State, or any agency thereof, nor are any of the provisions intended to supersede any requirements for obtaining any permits or approvals required by the United States or New York State, or any agency thereof.

§ 212-51 Permitted uses.

- A. Only the following buildings or uses are permitted in this district, and site plan approval,

pursuant to the provisions of Article III, § 212-19, is required in unique natural areas and slope overlay areas:

- (1) Farm Operation.
- (2) One single-family residence and accessory buildings.
- (3) One two-family residence and accessory buildings.
- (4) [RESERVED]
- (5) Any municipal or public utility necessary to the maintenance of utility services except that substations and similar structures shall be subject to the same setback requirements that apply to residences.
- (6) Major solar collection system subject to the provisions of Article XX, § 212-139.2. [Added 11-24-2015 by L.L. No. 3-2015]

§ 212-52 **Permitted accessory uses.**

- A. Only the following are permitted accessory uses, which are customarily incidental to the permitted uses listed above in § 212-51:
 - (1) Accessory buildings, as defined in Article IV and subject to the provisions of Article XXIV, § 212-167: *Accessory Building*.
 - (2) Accessory Dwelling Unit, subject to the provision of Article XX, § 212-128.
 - (3) Adult care, family.
 - (4) Bed-and-breakfast establishments.
 - (5) Child care, family.
 - (6) Elder cottage, subject to the provisions of Article XX, § 212-139.5.
 - (7) Professional offices where such office is part of the residence property and no more than three persons residing off the premises are employed on site.
 - (8) Roadside stands, subject to the provisions of Article XX, § 212-135.
 - (9) Temporary building, as defined in Article IV.
 - (10) Minor solar collection system subject to the provisions of Article XX, § 212-139.1. [Added 11-24-2015 by L.L. No. 3-2015]
- B. Site plan approval, pursuant to the provisions of Article III, § 212-19, is required in unique natural areas and slope overlay areas for the permitted accessory uses listed in

this section.

- C. Permitted accessory uses without site plan approval. Such uses as are customarily incidental to the permitted uses listed above in this Article **X**, § **212-51**.
 - (1) Signs as regulated under Article **XX**, § **212-122**
 - (2) Home occupation where no more than one person residing off the premises is employed.

§ 212-53 Uses allowed by special permit.

The following uses are allowed upon approval pursuant to Article **III**, § **212-18**, subject to the design standards in the Conservation Zone and site plan review by the Planning Board:

- A. Museums and nature centers.
- B. Public and private community parks, regional parks and preserves.
- C. Residential care/assisted living.
- D. Restaurants.
- E. Bicycle/ski rental business.

§ 212-54 Lot area and yard requirements.

- A. There shall be no more than one principal building on any lot in the CZ-Conservation Zone.
- B. Minimum lot area for one principal building shall be five acres.
- C. Minimum lot width at front lot line shall be 400 feet.
- D. Minimum lot depth shall be 450 feet.
- E. Minimum front yard setback shall be 75 feet.
- F. Minimum side yard setback shall be 50 feet.
- G. Minimum rear yard setback 50 feet.
- H. Maximum building height shall be 32 feet above average grade measured at the building perimeter or as determined by the Planning Board when slope exceeds 15%. It is within the discretion of the Planning Board whether or not to allow any building on slopes greater than 25%.
- I. The maximum footprint of a building shall be 3,500 square feet except Accessory Dwelling Units which are limited to 1,200 square feet floor area (§ 212-128).

- J. Driveways and parking areas may be considered a building as part of the lot coverage requirements at the discretion of the Planning Board.
- K. Flag lots are permitted, subject to the standards set forth in Article **XX**, § **212-130**.
- L. Accessory buildings shall not occupy the front yard, except for roadside stands (subject to provisions of Article **XX**, § **212-135**), and a garage may be attached to the front of a house.
- M. Maximum lot coverage by permanent structures shall be 5% of the lot area.

§ 212-55 Design standards.

In the event of any conflict between the provisions of this § **212-55** and other provisions of this chapter, the provisions of this section shall prevail.

- A. Stream and wetland setbacks.
 - (1) Perennial and intermittent streams and wetlands are prominent features of the Conservation Zone, and the condition of these water bodies directly affects the health of Cayuga Lake and the fauna that depend on the water for sustenance. As such, it is the intent of these Conservation Zone regulations to ensure the continued preservation and health of these many Cayuga Lake water resources for current and future generations. (See§ 212-124 Standards for buffer areas).
 - (2) For the purposes of this section, wetlands are defined by both state, federal and local governing regulations. Buffer areas apply to federal and locally protected wetlands greater than 0.1 acre and all state wetlands.
 - (3) No buildings, structures, paved areas, or storage of construction equipment or machinery shall be located within the following buffer areas: 50 linear feet of the bank of any perennial or intermittent stream and 100 feet of any wetland. These buffer areas may be increased by up to 50% should the Planning Board determine that such an increase is necessary to protect water quality or to minimize the impacts of erosion and sedimentation.
 - (4) During the site plan approval process where there is evidence of a wetland, the Planning Board may require a wetland delineation study to determine the exact boundaries and to evaluate potential impacts of development on said wetland.
- B. Vegetation and landscape.
 - (1) The intent of the Town of Ulysses is to preserve and encourage vegetation, especially noninvasive trees and shrubs, in the Conservation Zone in order to prevent erosion, sedimentation of the lake and streams, and maintain the rural, scenic nature of the Town.

- (2) The intent of this section is to encourage landowners in this district to preserve and encourage vegetation for the benefit of current and future residents of the Town.
- (3) The intent of the Town of Ulysses is to preserve the natural features of the Conservation Zone and, as such, to allow development that uses mechanisms that minimize disruption of the current ecological balance. The Zoning Officer and Planning Board shall review all development with the following guidelines when reviewing a site plan for approval.
- (4) Requirements. Tree removal, except clear-cutting, is allowed in the Conservation Zone outside of unique natural areas or slope overlay areas. Tree removal is allowed in the Conservation Zone in the unique natural areas or slope overlay areas according to the following terms and conditions:
 - (a) Without Town approval: a tree or trees whose location and conditions combine to make it a threat to human life or property.
 - (b) With the approval of the Zoning Officer and the possession of a valid building permit: those trees that are in the footprint of a construction site, septic system, parking areas, and the driveway access.
 - (c) Clear-cutting of forest stands for any use other than necessary minimal clearing for the requirements of a building project is prohibited.
 - (d) In unique natural areas or slope overlay areas, a woodland management plan shall be filed with and approved by the Zoning Officer and/or the Town's consulting forester for multiple trees removed for the landowner's firewood or lumber use, and for forest management and forest improvement. A woodland management plan shall be prepared by a professional forester with Society of American Foresters certification or by a cooperating consulting forester with the New York State Department of Environmental Conservation.
- (5) Recommendations.
 - (a) In areas outside of unique natural areas and slope overlay areas, a woodland management plan is recommended when removing multiple trees for the landowner's firewood or lumber use and for forest management and forest improvement.
 - (b) Existing noninvasive vegetation should be maintained to the extent practicable to minimize runoff.
 - (c) Buffer areas proximal to water bodies are to be promoted using noninvasive native plants to protect water resources.

- (d) Retain existing stone walls.
- (e) Removal of trees for the purpose of expanding a view is discouraged.
- (f) Removal of trees for the purpose of expanding sunlight exposure is discouraged.
- (g) Native plants should be encouraged, especially shrubs and trees that produce edible fruit and nuts for wildlife.
- (h) Removal of invasive plants (garlic mustard, swallowwort, barberry, honeysuckle, buckthorn, multiflora rose, Russian olive and Norway maple, etc.) is encouraged so long as this effort does not contribute to significant soil disturbance or erosion.
- (i) Wildlife habitats, biological corridors, contiguous forests, and open space linkages should be encouraged and preserved.
- (j) Dead trees that do not pose a threat to life, property, or a healthy forest should be left to provide wildlife habitat for both birds and animals.
- (k) New development should not compromise scenic views, in particular viewing points from adjacent roads and trails.
- (l) Regrading should blend in with the natural contours and undulations of the land.
- (m) Siting of buildings should be below ridgelines or hilltops.
- (n) Where possible, buildings and structures should be located on the edges of open fields to minimize visual impacts.
- (o) Buildings proposed to be located within significant viewing areas should be screened and landscaped to minimize their intrusion on the character of the area.
- (p) Building design should harmonize with the natural setting.
- (q) Building materials should harmonize with their natural setting and be compatible with neighboring land uses.

C . Stormwater

1. In Unique Natural Areas and/or Steep Slope Overlay areas that are subject to site plan review, the following standards apply:
2. Any alteration of the hydrology of the site shall be minimized and/or mitigated so as to minimize the impact on water quality, peak discharge, groundwater recharge, and drainage patterns. To the extent possible, the quantity, quality, and timing of

stormwater runoff during and after development shall not be substantially altered from pre-development conditions. The recommended technical standards for the design of post-construction structures are detailed in the "New York State Stormwater Management Design Manual," as revised. In reviewing the adequacy of an applicant's stormwater management plans, the Planning Board may seek recommendations from a licensed engineer selected by the Town and paid for by the applicant.

3. Priority should be given to maintaining natural drainage systems, including perennial and intermittent streams, swales and drainage ditches.
4. Drainage of stormwater shall not cause erosion, siltation, contribute to slope failures, pollute groundwater or cause damage to or flooding of adjacent or downstream properties.
5. The Planning Board may require the developer or property owner to submit the following:
 - f) Stormwater Pollution Prevention Plan (SWPPP), prepared by a NYS licensed engineer or other qualified professional. The contents of the SWPPP and qualifications of qualified professionals are specified in the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activity.
 - g) A statement of the proposed stormwater management objectives.

A description of the proposed structural and vegetative stormwater measures that will be utilized to ensure that the quantity, temporal distribution and quality of stormwater runoff during and after development are not substantially altered from pre-development conditions. This will include appropriate plans, design data, calculations, and other information.

A maintenance plan, which describes the type and frequency of maintenance required by the stormwater management facilities utilized and the arrangements that will be made to ensure long-term maintenance of these facilities. Operation, maintenance, and any necessary repairs are the responsibility of the property owner or his/her designee. Storm water management facilities shall have adequate easements to permit the Town to inspect and, if necessary, to take corrective action should the owner fail to properly maintain the system. If corrective action by the Town is required, incurred costs are the responsibility of the property owner.

A flood hazard analysis for any development located within or adjacent to the designated floodplain.

D. Soil and sediment control.

The goals for erosion and sediment control are (1) to minimize the opportunity for soil to be moved by wind, precipitation and runoff and (2) to contain sediment that does move close to its place of origin and thus prevent it from reaching a water body or damaging other lands. In order

to ensure that the land will be developed with a minimum amount of soil erosion and to protect the natural character of on-site and off-site water bodies, the Planning Board shall require the developer to follow certain erosion control practices.

- (1) A structure or parking area shall have a minimum setback to perennial and intermittent streams of 50 feet or 75 feet if within a Unique Natural Area or Steep Slope Overlay, as measured from the top edge of the slope rising from the bank of the stream. See § **212-124.B**.
- (2) On sites within the slope overlay area or unique natural area, there shall be no excavation, grading or filling without the submission to the Zoning Officer of an excavation, fill, and grading permit. Excavation, grading or filling of more than 10 cubic yards is subject to site plan approval. The Planning Board may seek recommendations from the Town Engineer, and the associated cost shall be paid for by the applicant. This provision is not applicable to projects with a valid permit from a county, state, or federal agency; nor is it applicable to any projects with current site plan approval.
- (3) In addition to the requirements of this article, any construction, grading, or other activities shall be conducted in accordance with any federal, state, or other local law or requirement pertaining to such activity, including, but not limited to, any requirements of the New York State Department of Environmental Conservation and the United States Army Corps of Engineers.
- (4) Roads and driveways should follow existing contours to the extent practicable to minimize erosion from cuts and fills.
- (5) In Unique Natural Areas and/or Steep Slope Overlay areas that are subject to site plan review, the following standards apply:
 - a. The Planning Board may require the developer to submit an erosion and sediment control plan, the contents of which are specified in the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activity.
 - b. Erosion and sediment control practices shall be consistent with requirements of the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activity. A permit is generally required for construction activities that disturb one or more acre of land.
 - c. The recommended technical standards for erosion and sedimentation control are detailed in the “New York Standards and Specifications for Erosion and Sediment Control” published by the Empire State Chapter of the Soil and Water Conservation Society, as revised.
 - d. The development plan should be consistent with the topography, soils, and other physical characteristics of the site so as to minimize the erosion potential and avoid disturbance of environmentally sensitive areas.

- e. Existing vegetation on the project site should be retained and protected as much as possible to minimize soil loss from the project site. (This will also minimize erosion and sediment control costs.)
- f. Erosion and sediment control measures should be constructed prior to beginning any land disturbances. All runoff from disturbed areas should be directed to the sediment control devices. These devices should not be removed until the disturbed land areas are stabilized.
- g. The timing and sequence of construction activities shall expose the smallest practical area of land at any one time during the development. Temporary vegetation and/or mulching should be used to protect critical areas. Permanent vegetation shall be established as soon as practicable. Construction will not be considered complete until all disturbed areas are successfully seeded or stabilized with erosion control materials

E. Driveways and parking.

(1) Requirements.

- (a) For new impervious surfaces proposed for driveways, parking areas, or walkways in unique natural areas or slope overlay areas, site plan review procedures shall be followed, and the Planning Board may seek recommendations from a licensed engineer selected by the Town and paid for by the applicant.
- (b) For safety purposes, parking areas shall be designed and built to avoid the necessity for drivers to back their vehicles onto roads.

(2) Recommendations.

- (a) Semi-pervious and pervious surfaces for driveways and parking areas are encouraged to minimize runoff and erosion.
- (b) Driveways and parking areas should be designed to include a combination of pervious and impervious surface materials as needed to provide for safe passage of traffic and to minimize the total area of impervious surface which would contribute to runoff.
- (c) Driveways and parking areas should follow contour lines of the land as much as possible.
- (d) Excavation and regrading of slopes for parking areas should be minimized.

F. Limitations on subdivision of parent tracts.

- (1) Any tract or parcel of land in common contiguous ownership at the time of the

creation of this zone on December 17, 2013, subject to other normally applicable subdivision laws and regulations, may be subdivided to create up to and not more than 3 lots.

SECTION 4. The definition section 212-22 of the Ulysses Zoning Law is amended to insert a new definition of “Building Footprint” as follows:

“Building Footprint: The area of a lot or site included within the surrounding exterior walls of a building or portion of a building, exclusive of courtyards. In the absence of surrounding exterior walls, the building footprint shall be the area under the horizontal projection of the roof. It includes garages, carports and porches open at the sides but roofed, and accessory structures if attached to the primary residence, but not trellises, patios, and unroofed areas of porch, deck, and balcony. Accessory Dwelling Units attached to a primary residence shall not be considered a part of the primary residence’s footprint.”

SECTION 5. SEVERABILITY. If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances. Any prior inconsistent Local Law is hereby repealed and superseded.

SECTION 6. EFFECTIVE DATE. This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Reserve Reestablishment Outline

APPENDIX IV

Last Updated: 8/9/2020

	Asset Account Code	Fund Balance Account Code	Reserve Title	ToU Intended Purpose	Balance as of 8/7/2020	Board Action	Permissive Referendum Needed at Reestablishment	Permissive Referendum Needed to Appropriate
A	A231	A815	Reserve - Unemployment	Unemployment payments in the event a worker is laid off or if budgeted amount is incorrect	\$8,316	Reestablishment via resolution	No	No
	A232	A827	Reserve - Retirement Contribution	For when the actual retirement contribution exceeds the state estimate.	\$19,795	Reestablishment via resolution	No	No; resolution needed
	A233	A867	Reserve - Employee Benefit Accrued Liability	When an employee retires or is separated from employment and is eligible for benefits per our personnel policy. This technically should be recalculated during every budget season as it should match our current liability.	\$13,041	Reestablishment via resolution	No	No
	A234	A878	Reserve - Capital (Type)	Capital projects such as the sidewalk in front of town hall, solar panels, new buildings, new property	\$31,000	No action needed, re-establishment in 2017	NA due to the fact that it was already re-established; however, a permissive referendum is NOT required for establishment.	Yes
	A235	A882	Reserve - Building Repair	Funds to repair Town Hall or Town Barns. Examples: new floor, roof, painting, etc	\$47,112	Reestablishment via resolution	No	See below note regarding all repair reserves.
	A237	A880	Reserve - Tax Stabilization	See OSC parameters	\$4,018	Reestablishment via resolution	Yes	No; resolution needed
	A236	A915	A915.2 · Assigned Funds - Recreation A915.3 · Assigned Funds - Audit A915.4 · Assigned Funds - A915.5 · Assigned Funds - Youth A915.6 · Assigned Funds - Energy	Recreation Audit Legal work over what is in budget For Youth Commission. Energy projects	\$23,584 \$8,300 \$6,027 \$3,644 \$10,046	<i>Background information regarding assigned funds per 8/7/20 conversation with Duane Shoen from Insero: assigned funds like these are allowable in the A Fund (i.e the General Fund), they are less formal in terms of structure and may be used at the Town Board's discretion.</i>		
B	B230	B815	Reserve - Unemployment	Unemployment payments in the event a worker is laid off or if budgeted amount is incorrect	\$5,023	Reestablishment via resolution	No	No
	B231	B879	Reserve - Capital (Specific)	This reserve was started via passing the budget but was never formally created. The intended use is to save money for the replacement of the B fund Code/Planning vehicle.	\$5,023	Establishment via resolution	Yes	No

B	B232	B878	Reserve - Capital (Type)	For capital projects outside the village such as sidewalks, code enforcement vehicle, initial work for water district formation (such as map, plan and report)	\$39,961	No action needed, re-establishment in 2017	NA due to the fact that it was already re-established; however, a permissive referendum is NOT required for establishment.	Yes
	B234	B867	Employee Benefits and Accrued Liability	When an employee retires or is separated from employment and is eligible for benefits per our personnel policy. This technically should be recalculated during every budget season as it should match our current liability.	\$18,589	Reestablishment via resolution	No	No

DA	DA233	DA878	"Equipment Reserve" (Type Capital)	Highway Department equipment purchases	\$189,452	None: re-established in July of 2020	NA due to the fact that it was already re-established; however, a permissive referendum is NOT required for establishment	Yes
	DA231	DA882	Reserve - Repair: Snow & Ice	In case of extreme winter weather, extra funding to cover over-budget costs	\$37,560	Reestablishment via resolution	No	Yes
	DA232	DA883	Reserve - Repair: Bridge	Repair or replacement of bridges	\$280,427	Reestablishment via resolution	No	See below note regarding all repair reserves.

DB	DB230	DB878	Reserve - Capital	Unexpected road maintenance or replacement	\$62,360	Reestablishment via resolution	No	Yes
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SW1	SW1-230	SW1-882	Reserve - Repairs	For repairs for water district serviced by the Village DPW.	\$2,316	Reestablishment via resolution	No	<i>Yes; note regarding appropriation of all repair reserves (besides Snow & Ice): to expend from a repair reserve a resolution is needed subject to public hearing; emergency appropriation allowable by resolution subject to other parameters (half of emergency appropriation paid back within the fiscal year with the balance paid by the end of the following fiscal year).</i>
SW2	SW2-230	SW2-882	Reserve - Repairs	For repairs for water district serviced by the Village DPW.	\$202	Reestablishment via resolution	No	
SW3	SW3-230	SW3-882	Reserve - Repairs	Repairs to water district due to wear and tear, recommended replacement of equipment, equipment to perform repairs, or to be in compliance with health department or other regulations.	\$30,105	Reestablishment via resolution	No	
SW4	SW4-230	SW4-882	Reserve - Repairs	For repairs for water district serviced by the Village DPW.	\$1,009	Reestablishment via resolution	No	