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TOWN OF ULYSSES, NEW YORK
LOCAL LAW NO. _ OF THE YEAR 2018

A Local Law to Amend Chapter 212-118 “Existing development districts” of the Code the Town of Ulysses (“the Code”), which is also known as the Zoning Law. This local law specifically amends §212-118 H “Development District No. 8”.

BE IT ENACTED by the Town Board of the Town of Ulysses as follows:

SECTION 1.

The title of § 212-118 H. Development District No. 8 shall be changed from “Moore's Outboard Sales and Service” to “Boat sales, service, and storage” and adds “amended” with the date of adoption of this local law.

SECTION 2.

§ 212-118 H (1) (a) shall be amended to add the words “used boats” and read as follows: “Sales and service of small marine motors, used boats, and accessories.”

SECTION 3.

A new section § 212-118 H (1) (b) shall be added to § 212-118 H (1) of the Code and shall read as follows: “Storage of boats.”

SECTION 4.

The Tax Parcel number in § 212-118 H (2) shall be amended to from 32.-2-8.2 to 32.-2-8.22.

SECTION 5.

§ 212-118 H (3) (a) shall be amended by deleting the sentence: “No new buildings are allowed;” and replacing the word “installed” with “maintained.”

SECTION 6.

§ 212-118 H (3) (b) shall be amended by deleting the following sentences: “Business hours shall be limited to between 8:30 a.m. and 5:30 p.m., Monday through Friday; 8:30 a.m. to 3:00 p.m. Saturday; and 9:00 a.m. to 12:00 noon on Sunday. Most repairs will be done during weekdays; repairs after 5:00 p.m. will be done inside the building;” and adding the following: “No mechanical sound associated

with boat repair shall emanate from the property before 8:00 a.m. or after 8:00 p.m. Monday through Saturday, nor on Sundays and federal holidays.”

SECTION 7.

§ 212-118 H (3) (c) shall be amended by deleting the sentences “Customer parking for up to six cars will be located in front of the building. Parking lot area is to be 40 feet deep by 50 feet wide and centered in front of the building;” and adding the following: “Maintain parking between the front of the building and highway right of way, and on the south side of building, as shown on ‘Survey Map Showing Development District for “Moore’s Marine” Located at No. 3052 Dubois Road, Town of Ulysses, Tompkins County, New York’ by TG Miller P.C. revised 1/22/18, The owners of the land on which the Development District is located shall file the map in the Tompkins County Clerk’s office no later than 30 days after adoption of this local law.”

SECTION 8.

§ 212-118 H (3) (d) shall be amended by deleting the words “Storage for 15 boats to 20 boats” and “Storage of 10 boats to 15 boats is permitted within the building. Up to five boats may be stored outside over the winter;” and replaced with:
“Boats ready to be picked up and/or serviced shall be stored on the north side of the building, on the south side of the building, on the on the east side of the building, and on the lower lot/east side of the building, as shown on approved site plan on ‘Survey Map Showing Development District for “Moore’s Marine” Located at No. 3052 Dubois Road, Town of Ulysses, Tompkins County, New York’ by TG Miller P.C. revised 1/22/18, which is incorporated herein by reference and made a part hereof.”

SECTION 9.

§ 212-118 H (3) (e) shall be repealed and the remaining subparagraphs shall be renumbered.

SECTION 10.

A new § 212-118 H (3) (e) shall be added to § 212-118 H (3) of the Code and shall read as follows:
“Outside storage of boats shall be permitted on the south side of the building, and on the lower lot/east side of building, as shown on approved site plan on ‘Survey Map Showing Development District for “Moore’s Marine” Located at No. 3052 Dubois Road, Town of Ulysses, Tompkins County, New York’ by TG Miller P.C. revised 1/22/18, which is incorporated herein by reference and made a part hereof.”

SECTION 11.

A new § 212-118 H (3) (f) shall be added to § 212-118 H (3) of the Code and shall read as follows:
“Used boat sales shall be permitted only on the south side of the building, as shown on approved site plan on ‘Survey Map Showing Development District for “Moore’s Marine” Located at No. 3052 Dubois Road, Town of Ulysses, Tompkins County, New York’ by TG Miller P.C. revised 1/22/18, which is incorporated herein by reference and made a part hereof.”

SECTION 12.

A new § 212-118 H (3) (g) shall be added to § 212-118 H (3) of the Code and shall read as follows:
“Vegetated buffer shall be installed and maintained on the property boundaries with 3060 Dubois Rd

(Tax Parcel Number 32.-2-10) and 3072 Dubois Rd (Tax Parcel Number 32.-2-8.21). Landscape plan for the vegetated buffer shall be reviewed and approved by the Planning Board and filed with the Town.”

SECTION 13.

§ 212-118 H (3) (h) shall be amended by deleting this portion of the sentence; “Improvements to buildings and grounds: roof to be painted, trim to be painted,” and read as follows: “Area around building to be kept clean with no outside storage other than boats with or without motors and trailers.”

SECTION 14.

§ 212-118 H (3) (i) shall be amended by replacing “one lighted sign with plastic face on front of the building, not to exceed three feet by five feet in size” with the following: “One freestanding sign not to exceed 18 square feet. For sign(s) attached to the building, the cumulative square footage shall not to exceed 64 square feet. Signs required by New York State are not included in the area calculation. No illuminated signs shall be permitted.”

SECTION 15.

§ 212-118 H (3) (j) shall be amended by deleting the word “sign” in the first sentence and deleting the sentences: “One pair of floodlights on each side of building shall be allowed. Lighting is to be cast in a downward direction so as not to constitute a hazard to drivers and an annoyance to neighbors.”

SECTION 16.

The existing sections labeled as § 212-118 H (3) (i) and (j) shall be repealed and the remaining subparagraphs shall be renumbered.

SECTION 17.

§ 212-118 H (3) (k) shall be amended by replacing the words “two-hundred-fifty-gallon tank” with the following: “tank or tanks not to exceed 300 gallons.”

SECTION 18.

A new section 212-118 H (3) (m) shall be added to § 212-118 H (3) of the Code and shall read as follows:

“A vegetated buffer 100 feet wide shall be maintained on the eastern boundary of the Development District.”

SECTION 19.

A new section 212-118 H (3) (n) shall be added to § 212-118 H (3) of the Code and shall read as follows:

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

SECTION 20.

A new section 212-118 H (3) (o) shall be added to § 212-118 H (3) of the Code and shall read as follows:

“No edible plants shall be grown for human consumption without first testing the soil for contaminants.”

SECTION 21.

This local law shall supersede or repeal any prior inconsistent local law.

SECTION 22.

The provisions of this local law are severable. If any court of competent jurisdiction decides that any section, clause, sentence, part or provision of this local law is illegal, invalid, or unconstitutional, such decision shall not affect, impair, or invalidate any of the remaining sections, clauses, sentences, parts, or provisions of the Local Law.

SECTION 23.

This local law shall take effect upon filing with the Secretary of State.