

Town of Ulysses

Zoning Law

Local Law No.4 2007

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Table of Contents

Table of Contents i

Article I — Purpose 1

 1.1 Declaration of Policy..... 1

Article II — Application 3

 2.1 Conformance..... 3

 2.2 Space and Construction..... 3

 2.3 Enforcement and Penalties..... 3

 2.4 Building Permits 4

 2.5 Fees for Permits 4

 2.6 Building Code Conformance..... 4

 2.7 Approval of Tompkins County Health Department..... 4

 2.8 Certificate of Compliance or Occupancy 5

 2.9 Establishment of Districts 5

 2.10 District Boundaries 5

 2.11 Amendments 6

 2.12 Validity..... 6

 2.13 When Effective 6

 2.14 Local Laws Superseded..... 6

 2.15 Number of Dwellings on a Lot..... 6

 2.16 Inspections: General..... 6

Article III — Administration 7

 3.1 Board of Zoning Appeals..... 7

 3.1.1 Establishment..... 7

 3.1.2 Area Variances..... 7

 3.1.3 Use Variances 8

 3.1.4 Interpretation..... 8

 3.2 Special Permits..... 8

 3.2.1 Use of Special Permits 8

 3.2.2 Application for Special Permits 8

 3.2.3 Consultation on Requests for Special Permit..... 9

 3.3 Planning Board..... 10

 3.4 Site Plan Review 10

 3.4.1 Establishment..... 10

 3.4.2 Applicability..... 10

 3.4.3 Procedure 11

 3.4.4 Site Plan Information Required..... 13

 3.4.5 Review Criteria 14

 3.4.6 Consultation on Proposed Site Plan 14

 3.4.7 Submission of Final Detailed Site Plan..... 15

 3.4.8 Performance Guarantee..... 15

 3.4.9 Waiver of Requirements for Site Plan Approval 15

 3.4.10 Modifications to Approved Site Plans 16

 3.5 Rezoning for DD–Development Districts or Other Rezoning Actions..... 16

 3.5.1 Requests for Rezoning 16

 3.5.2 Requirements for Rezoning Plan 17

 3.5.3 Development District Rezoning Plan..... 18

 3.5.4 Process for Rezoning by Town Board 18

Article IV — Definitions 19

 4.1 General..... 19

 4.2 Definitions 19

Article V — A1–Agricultural District..... 35

 5.1 Purpose 35

 5.2 Right to Farm..... 35

 5.3 Permitted Uses 35

 5.4 Permitted Accessory Uses 35

 5.5 Uses Allowed by Site Plan Approval 36

 5.6 Uses Allowed by Special Permit from the Town Board..... 36

 5.7 Lot Area and Yard Requirements 37

Article VI — A2–Special Agricultural District..... 39

 6.1 Purpose 39

 6.2 Permitted Uses 39

 6.3 Permitted Accessory Uses 40

 6.4 Lot Area and Yard Requirements 40

 6.5 Buffer Areas 40

Article VII — R1–Rural Residence District..... 41

 7.1 Purpose 41

 7.2 Permitted Uses 41

 7.3 Permitted Accessory Uses 41

 7.4 Uses Permitted by Site Plan Approval..... 42

 7.5 Uses Allowed by Special Permit 42

 7.6 Lot Area and Yard Requirements 42

 7.7 Buffer Areas 43

Article VIII — R2–Moderate-Density Residence District 45

 8.1 Purpose 45

 8.2 Permitted Uses 45

 8.3 Permitted Accessory Uses 45

 8.4 Uses Permitted by Site Plan Approval..... 46

 8.5 Uses Allowed by Special Permit 46

 8.6 Lot Area and Yard Requirements 46

 8.7 Buffer Areas 47

Article IX — RM–Multiple-Residence District 49

 9.1 Purpose 49

 9.2 Establishment of District 49

 9.3 Permitted Uses 49

 9.4 Permitted Accessory Uses 49

 9.5 Uses Permitted by Special Permit..... 50

 9.6 Lot Area and Yard Requirements 50

 9.7 Buffer Areas 50

Article X — MHP–Manufactured Home Park District..... 51

 10.1 Purpose 51

 10.2 Permitted Uses 51

 10.3 Permitted Accessory Uses 51

 10.4 Uses Permitted by Special Permit..... 52

 10.5 Lot Area and Yard Requirements 52

 10.6 Buffer Areas 52

Article XI — H1–Hamlet District..... 53

 11.1 Purpose 53

11.2	Permitted Uses	53
11.3	Permitted Accessory Uses	53
11.4	Uses Permitted by Site Plan Approval	54
11.5	Uses Permitted by Special Permit	54
11.6	Lot Area and Yard Requirements	55
11.7	Buffer Areas	55
Article XII	— H2–Hamlet Residential District	57
12.1	Purpose	57
12.2	Permitted Uses	57
12.3	Permitted Accessory Uses	57
12.4	Uses Permitted by Special Permit	58
12.5	Lot Area & Yard Requirements	58
Article XIII	— B1–Business District	59
13.1	Purpose	59
13.2	Permitted Uses	59
13.3	Permitted Accessory Uses	60
13.4	Uses Permitted by Special Permit	60
13.5	Lot Area and Yard Requirements	61
13.6	Buffer Areas	61
13.7	Building Permits	61
Article XIV	— IL–Light Industry District	63
14.1	Purpose	63
14.2	Permitted Uses	63
14.3	Permitted Accessory Uses	64
14.4	Uses by Special Permit	64
14.5	Lot Area and Yard Requirements	64
14.6	Buffer Areas	65
14.7	Building Permits	65
Article XV	— PR–Park/Recreation District	67
15.1	Purpose	67
15.2	Permitted Uses	67
15.3	Permitted Accessory Uses	67
15.4	Uses Permitted by Special Permit	67
15.5	Lot Area and Yard Requirements	68
15.6	Buffer Areas	68
Article XVI	— Development Districts	69
16.1	Purpose	69
16.2	Establishment	69
16.3	Existing Development Districts	69
16.3.1	Development District No. 1: Spruce Row Campgrounds	69
16.3.2	Development District No. 2: Podunk Ski Shop	71
16.3.3	Development District No. 3: Bar/Restaurant/Trailers	72
16.3.4	Development District No. 4: Stover Saw Mill	73
16.3.5	Development District No. 5: Automobile Business — David Kline	75
16.3.6	Development District No. 6: Koskinen Auto Repair	76
16.3.7	Development District No. 7: Finger Lakes–Seneca Cooperative Insurance Company	77
16.3.8	Development District No. 8: Moore’s Outboard Sales and Service	78
16.3.9	Development District No.9: Flo-Tech	80

Article XVII — Design Standards..... 81

17.1 Purpose 81

17.2 Environmental Performance Standards 81

 17.2.1 Yards.....81

 17.2.2 Noise.....81

 17.2.3 Odors81

17.3 Standards for Parking in All Zoning Districts 82

 17.3.1 Minimum Requirements for Off-Street Parking.....82

 17.3.2 Parking Design Standards.....83

17.4 Standards for Signs..... 84

 17.4.1 General84

 17.4.2 Sign Illumination and Internally Illuminated Signs.....84

 17.4.3 Signs in Any District85

 17.4.4 Business Directional Signs85

 17.4.5 Signs in R1, R2, RM, and MHP Districts.....86

 17.4.6 Signs in A1, B1 and IL Districts.....86

 17.4.7 Signs in the H1 District87

 17.4.8 Nonconforming Signs.....88

17.5 Standards for Outdoor Lighting..... 88

17.6 Standards for Vegetated Buffer Areas 90

 17.6.1 Visual Screening Buffer90

 17.6.2 Stream Protection Setback.....90

17.7 Standards for Adult Entertainment Businesses..... 91

17.8 Standards for Animals in Residential Areas 92

17.9 Standards for Campgrounds 92

 17.9.1 Campgrounds, Seasonal.....92

 17.9.2 Campgrounds, Overnight.....93

17.10 Standards for Elder Cottage Housing 94

17.11 Standards for Extractive Industry 95

17.12 Standards for Flag Lots..... 97

17.13 Standards for Public Garages, Gasoline Sales Stations and Body Shops 97

17.14 Standards for Manufactured Home Parks..... 97

17.15 Standards for Land Development in the RM–Multiple-Residence District..... 99

17.16 Standards for Residential Swimming Pools 99

17.17 Standards for Roadside Stands 100

17.18 Standards for Sawmills 100

17.19 Standards for Self-Service Storage Facility..... 100

17.20 Standards for Commercial Stables..... 101

17.21 Standards for Agricultural Commerce..... 101

Article XVIII — Land Subdivision Regulations..... 103

18.1 Review Procedures and Design Standards..... 103

 18.1.1 Declaration of Policy103

 18.1.2 Applicability and Legal Effects103

 18.1.2.1 Applicability of These Regulations.....103

 18.1.2.2 Legal Effect: Land-Use Regulations.....103

 18.1.2.3 Legal Effect: Filing of Plats with County Clerk104

 18.1.2.4 Plat Void If Revised After Approval104

 18.1.3 Types of Subdivisions and Procedures104

 18.1.4 Coordination with County Health Department.....104

 18.1.5 Planning Board Use of Consultants and Services of County and Regional Planning Staff104

18.1.6	Plat Review of Uncompleted Subdivisions.....	104
18.2	Definitions.....	105
18.2.1	Subdivision Definitions.....	105
18.2.2	Access Definitions	106
18.3	Subdivision Procedures.....	107
18.3.1	Classification of Subdivision	107
18.3.2	Simple Subdivision Review Procedure.....	107
18.3.3	Initiation of Minor or Major Subdivision Review	108
18.3.3.1	Request for Planning Board Review	108
18.3.3.2	Subdivider to Attend Planning Board Meeting on Sketch Plat	108
18.3.3.3	Determination on Sketch Plat	108
18.3.4	Minor Subdivision Review Procedure	108
18.3.4.1	Application and Fee.....	108
18.3.4.2	Requirements for Minor Subdivision Plat Review	109
18.3.4.3	Subdivider to Attend Planning Board Meeting on Minor Subdivision Plat.....	109
18.3.4.4	Public Hearing on Minor Subdivision Plat.....	109
18.3.4.5	Action on Minor Subdivision Plat.....	109
18.3.5	Major Subdivision Preliminary Plat Review Procedure	110
18.3.5.1	Application and Fee.....	110
18.3.5.2	Requirements for Major Subdivision Preliminary Plat Review	110
18.3.5.3	Subdivider to Attend Planning Board Meeting	111
18.3.5.4	Study of Major Subdivision Preliminary Plat.....	111
18.3.5.5	Public Hearing on Major Subdivision Preliminary Plat	112
18.3.5.6	Planning Board Approval of Preliminary Plat.....	112
18.3.6	Major Subdivision Final Plat Application.....	113
18.3.6.1	Application	113
18.3.6.2	Major Subdivision Final Plat and Accompanying Data	113
18.3.7	Endorsement of State and County Agencies.....	114
18.3.8	Public Hearing and Review of the Final Plat	114
18.3.9	Planning Board Action on Proposed Final Subdivision Plat.....	114
18.3.9.1	Prescribed Time for Action	114
18.3.9.2	Conditional Approval	115
18.3.9.3	Certification by Chair of Planning Board.....	115
18.3.9.4	Expiration of Approval.....	115
18.3.10	Required Improvements	115
18.3.10.1	Final Approval of Major Subdivision Final Plat	115
18.3.10.2	Full-Cost Check or Bond.....	115
18.3.10.3	Check or Bond for Completion	115
18.3.10.4	Underground Utilities Map.....	115
18.3.11	Modification of Design of Improvements.....	116
18.3.12	Inspection of Improvements.....	116
18.3.12.1	Inspection Fee.....	116
18.3.12.2	Proper Installation of Improvements	116
18.3.13	Final Approval of Subdivision Plat.....	116
18.3.13.1	Signature of Planning Board Chair.....	116
18.3.13.2	Prompt Filing.....	116
18.3.13.3	Plat Void If Revised after Approval.	117
18.3.14	Public Streets and Recreation Areas	117
18.3.14.1	Public Acceptance of Roads.....	117
18.3.14.2	Ownership and Maintenance of Recreation Areas	117

18.3.15	Cluster Subdivisions	117
18.3.15.1	Authority	117
18.3.15.2	Request by Subdivider	117
18.3.15.3	Sketch Plat	117
18.3.15.4	Park, Recreation, Open Space or Other Municipal Purposes.....	117
18.3.15.5	Plat Submission.....	118
18.3.15.6	Filing: Notation on Zoning Map	118
18.3.16	General Requirements and Design Standards.....	118
18.3.16.1	Character of Land.....	118
18.3.16.2	Conformity to Official Map and Ulysses Comprehensive Plan.....	118
18.3.16.3	Specifications for Required Road Improvements	118
18.3.17	Road Considerations.....	118
18.3.17.1	Statement of Acceptance.....	118
18.3.17.2	Width, Location, and Construction	118
18.3.17.3	Arrangement of Roads	119
18.3.17.4	Minor Roads.....	119
18.3.17.5	Special Treatment Along Major Arterial Roads	119
18.3.17.6	Loop Roads and Circle Drives	119
18.3.17.7	Dimensions of Blocks	119
18.3.17.8	Openings for Minor Roads.....	119
18.3.17.9	Road Jogs	119
18.3.17.10	Angles of Intersection	119
18.3.17.11	Roads' Relation to Topography	119
18.3.17.12	Borders with Railroad or Limited-Access Highway Rights-of-Way	120
18.3.18	Road Design	120
18.3.18.1	Guidelines	120
18.3.18.2	Construction Specifications (Refer to Figure 2.)	120
18.3.18.3	Further Road Improvements, Including Fire Hydrants and Lighting.....	121
18.3.18.4	Underground Utilities	121
18.3.18.5	Grades	121
18.3.18.6	Curves at Intersections	121
18.3.18.7	Visibility	121
18.3.18.8	Circle Drive Requirements.....	122
18.3.18.9	Loop Roads	122
18.3.18.10	Watercourses.....	122
18.3.18.11	Curves at Deflecting Roads.....	122
18.3.18.12	Service Roads.....	122
18.3.18.13	Commercial Zones	122
18.3.19	Road Names.....	122
18.3.20	Lots	123
18.3.20.1	Lots Shall Be Buildable	123
18.3.20.2	Side Lines.....	123
18.3.20.3	Corner Lots	123
18.3.20.4	Driveway Access.....	123
18.3.20.5	Access from Private Roads	123
18.3.20.6	Monuments and Lot Corner Markers.....	123
18.3.21	Drainage Improvements	123
18.3.21.1	Storm-Water Runoff	123
18.3.21.2	Removal of Spring and Surface Water.....	123

- 18.3.21.3 Drainage Structure to Accommodate Potential Development
 - Upstream 123
- 18.3.21.4 Downstream Drainage 124
- 18.3.21.5 Land Subject to Flooding 124
- 18.3.22 Parks, Open Spaces, and Natural Features 124
 - 18.3.22.1 Open Space to Be Shown on Plat 124
 - 18.3.22.2 Parks and Playgrounds Not Shown on Town Plan 124
 - 18.3.22.3 Information to Be Submitted 124
 - 18.3.22.4 Waiver of Plat Designation of Area for Parks and Playgrounds 125
 - 18.3.22.5 Reserve Strips 125
 - 18.3.22.6 Preservation of Natural Features 125
- 18.3.23 Waivers of Certain Required Improvements..... 125
- Article XIX — Communication Transmission Towers and Telecommunications Facilities..... 127**
 - 19.1 Purpose..... 127
 - 19.2 Exemptions..... 127
 - 19.3 Definitions..... 127
 - 19.4 Standards 128
 - 19.4.1 Height..... 128
 - 19.4.2 Lot 128
 - 19.4.3 Aesthetics and Environmental Considerations..... 128
 - 19.4.4 Access and Parking 129
 - 19.4.5 Safety and Security 129
 - 19.4.6 Shared Use of Towers 129
 - 19.5 Filing Application 129
 - 19.5.1 Site Plan 129
 - 19.5.2 Application..... 130
 - 19.6 Planning Board Procedure..... 132
 - 19.6.1 Planning Board Criteria 132
 - 19.7 Building Permits 133
 - 19.8 Limited Permit 133
 - 19.9 Removal Provisions 133
- Article XX — Nonconformance 135**
 - 20.1 Continuation of Existing Uses 135
 - 20.2 Abandonment of Use..... 135
 - 20.3 Alterations 135
 - 20.4 Changes and Restorations 135
 - 20.5 Repairs To and Maintenance of Nonconforming Buildings 135
- Article XXI — General Provisions 137**
 - 21.1 Building Floor Area 137
 - 21.2 Existing Lots 137
 - 21.3 Open Porches 137
 - 21.4 Fences and Walls 137
 - 21.5 Corner Visibility 137
 - 21.6 Projections in Yards 138
 - 21.7 Reduction of Lot Area..... 138
 - 21.8 More Than One Building on a Lot..... 138
 - 21.9 Accessory Buildings..... 138
 - 21.10 Abandoned Cellar Holes and Destroyed or Derelict Buildings 138
 - 21.11 Abandoned Wells 139
 - 21.12 Discontinuance of Junkyards, Open Storage, Automobile Sales Lots 139

21.13 Power Generation Facilities or Structures	139
21.14 Singlewide Manufactured Homes.....	139
Index	141

Article I — Purpose

1.1 Declaration of Policy

In order to promote the health, safety, morals and general welfare of the community, to lessen congestion in the streets, to secure safety from fire, panic and other dangers, to provide adequate light and air, to prevent overuse of land, to avoid undue concentration of population, and to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements, under and pursuant to Chapter 62, Articles 9 and 16, of the Consolidated Laws of New York State, the size of buildings and other structures, the percentage of lots that may be occupied, the size of yards, the density of population, and the use of buildings, structures and land for trade, industry, residence or other purposes are hereby restricted and regulated as hereinafter provided.

And further, these restrictions and regulations are provided in order to preserve, foster and enhance the native beauty and rural character of one of the most picturesque and charming communities in the Finger Lakes region of New York State. Ulysses is a community well-known for its fine vistas of farmland, hills and Cayuga Lake. As it presently contains more historic homes within its borders than any other township in the county, this Zoning Law shall provide appropriate controls over the use of buildings, structures and land.

Article II — Application

2.1 Conformance

It shall be unlawful to use or permit the use of any building or part thereof hereafter erected, changed or extended in whole or in part, or altered beyond what is generally accepted as normal maintenance, in a manner which shall not conform in all respects to the requirements of this Zoning Law.

Any use not specifically set forth as a permitted use in any zoning district shall be expressly prohibited in that zone. A use specifically set forth as a permitted use in one zoning district shall not be permitted in another zoning district unless it is specifically set forth as a permitted use in said district.

The above notwithstanding, any lot that is deemed conforming to the prior Town of Ulysses Zoning Ordinance, or was created prior to any local zoning law but now is deemed nonconforming, shall not require the approval for an area variance by the BZA should said lot meet all setback, front and rear yard requirements of this Zoning Law.

2.2 Space and Construction

Except as hereinafter provided, no building or part thereof shall be erected, altered or relocated unless done so in conformance with the regulations on space and construction specified herein for the district in which it is located, and with any relevant supplementary regulations. No portion of a yard or other open space within a lot that is required for the purpose of complying with lot coverage or setback requirements of this Zoning Law shall be included as a portion of a yard or other open space similarly required for another lot.

2.3 Enforcement and Penalties

This Zoning Law shall be enforced by the Code Enforcement Officer who shall be appointed by the Town Board. The Code Enforcement Officer shall in no case, except under written order by the Board of Zoning Appeals, grant any building permit or statement of compliance for any building or land use in violation of any provisions of this Zoning Law.

Any person, firm, corporation or other entity violating any provision of this Zoning Law shall be deemed guilty of an offense pursuant to Town Law, Section 268, and upon conviction thereof shall be subject to a fine and to imprisonment for each and every violation, as provided for in Section 268. For the purpose of this Zoning Law, each week that a violation continues shall constitute a separate and distinct offense.

In addition to other penalties, the Town of Ulysses may institute any appropriate action or proceeding to prevent the unlawful erection, construction, alteration or use of any building or land in violation of the requirements of this Zoning Law.

2.4 Building Permits

No building in any district shall be changed, altered or extended if such change, alteration or extension shall affect the dimensions of the building or the number of dwelling units in said building, without a building permit issued by the Code Enforcement Officer.

A building permit application shall be made to the Code Enforcement Officer before any nonagricultural building or other structure, including but not limited to signs, swimming pools (except portable children's wading pools), above-ground or below-ground tanks, power and pump stations, radio or telecommunications towers, and canopies and pavilions, is begun, erected, constructed, enlarged, improved, renovated, repaired or altered.

No sign shall be erected in excess of twelve (12) square feet without a permit.

No building permit shall be required for any residential accessory building 144 square feet or less in gross floor area and not exceeding fifteen (15) feet in height, provided that it meets the area requirements of the zoning district.

Every application for a building permit shall state the intended use of the building and shall be accompanied by a satisfactory plot plan, drawn to scale with dimensions shown, that indicates the size and shape of the lot, any existing and proposed buildings, and all required yard areas and setbacks required herein.

Unless there has been substantial progress made in the work for which a building permit has been issued, said building permit shall expire one (1) year from the date of issue. In no case shall a building permit be valid for more than two (2) years from the date of issue.

2.5 Fees for Permits

Fees for applications for site plan approval, special permit approval, request for variances from the requirements of this Zoning Law, and consideration of request for changes in zoning designation and building permits shall be established by the Town Board and may be adjusted from time to time at the discretion of the Board. In addition to any fees set by the Town Board, applicants shall be responsible for bearing the cost of any advertising and reasonable consultant costs.

2.6 Building Code Conformance

All zoning regulations stated herein shall be in accord with requirements established by the New York State Uniform Building Code or its successors. Where the requirements of this Zoning Law and the New York State Uniform Building Code differ, the stricter of the two shall govern. Requirements for building codes and maintenance presented in the New York State Uniform Building Code but not contained in this Zoning Law are considered to be part of the zoning requirements for the Town of Ulysses.

2.7 Approval of Tompkins County Health Department

No permit for any structure shall be granted until the Tompkins County Health Department requirements with respect to proposed methods of water supply and sewerage or other waste disposal have been met.

2.8 Certificate of Compliance or Occupancy

No building or structure or part thereof hereafter erected, altered or extended shall be used or changed in its use until a Certificate of Compliance or Occupancy has been issued, signifying that such building or structure, or use change, complies with the provisions of this Zoning Law and applicable building codes, except in the case of continued occupancy during the building permit period.

2.9 Establishment of Districts

For the purpose of this Zoning Law the Town of Ulysses is hereby divided into the following eleven (11) zoning districts:

- A1–Agricultural District
- A2–Special Agricultural District
- R1–Rural Residence District
- R2–Moderate-Density Residence District
- RM–Multiple-Residence District
- MHP–Manufactured Home Park
- H1–Hamlet District
- H2–Hamlet District
- B1–Business District
- IL–Light Industrial District
- PR–Park/Recreation District
- DD–Development District

The boundaries of these districts are shown on the map entitled “Zoning Map, Town of Ulysses, Tompkins County, New York,” as adopted by the Town Board and amended from time to time. Said map and all notations on it or amendments to it are incorporated by reference into this Zoning Law and made part of it.

2.10 District Boundaries

Where uncertainty exists with respect to the exact boundaries of a zoning district shown on the zoning map, the following rules shall apply:

1. Where the Zoning Map indicates a district boundary approximately on a lot line, such lot line shall be construed to be the district boundary.
2. Distances shown on the Zoning Map are perpendicular or radial distances from the road or highway right-of-way line measured back to the zoning district boundary line.
3. In all cases where a distance is given between the road or highway right-of-way line and a zoning district boundary line, said line is parallel to the road or highway right-of-way line from which the distance is measured.
4. Where a zoning district boundary line follows a stream, or the shoreline of a lake or other body of water, said boundary line shall be deemed to follow the centerline of the stream or be deemed to be at the limit of the Town of Ulysses, unless otherwise noted.

5. In all other cases the location of a zoning district boundary line shall be determined by the Code Enforcement Officer through use of the scale on the Zoning Map.

2.11 Amendments

The regulations, restrictions and boundaries set forth in this Zoning Law may be amended, supplemented, changed or repealed by the Town Board pursuant to local law.

2.12 Validity

The invalidity of any section or provision of this Zoning Law shall not invalidate any other section or provision thereof.

2.13 When Effective

This Zoning Law shall be in effect upon adoption, publication and filing as provided for by law.

2.14 Local Laws Superseded

This Zoning Law upon adoption shall supersede the following Local Laws: Town of Ulysses Zoning Ordinance as adopted in 1968 and amended to date; Town of Ulysses Site Plan Review as adopted October 6, 1998; the Town of Ulysses Tower Ordinance as adopted March 17, 1997; the Town of Ulysses Mobile Home Park Ordinance; and the Town of Ulysses Subdivision Ordinance, dated November 18, 1986.

2.15 Number of Dwellings on a Lot

Unless otherwise provided for in this Zoning Law, there shall be no more than two (2) single-family or one (1) two-family structure on any lot.

2.16 Inspections: General

The Code Enforcement Officer shall have the right upon notice to inspect any premises, building or area covered under the provisions of this law. No person shall refuse to allow said officer to fully inspect any and all premises, and no person shall molest or resist the officer in the discharge of his or her duties. Failure to comply with this section shall be deemed a violation under this law, allowing for civil and penal remedy [as set forth herein](#).

Article III — Administration

3.1 Board of Zoning Appeals

3.1.1 Establishment

There is hereby established a Board of Zoning Appeals consisting of five (5) persons who shall function in the manner prescribed by law.

The members of the Board of Zoning Appeals shall be residents of the Town of Ulysses and shall be appointed by the Town Board to serve staggered terms of five (5) years. Vacancies occurring in said board by expiration of term or otherwise shall be filled in the same manner.

All Board members must comply with Town Law Section 267(2) as to noncompliance with minimum requirements relating to attendance and training as established by the Town Board.

The Town Board shall designate the chairman of the Board of Zoning Appeals. The Board of Zoning Appeals shall choose its vice-chairman, who shall preside in the absence of the chairman. In the absence of both the chairman and the vice-chairman, the Board of Zoning Appeals shall choose one of its number as acting chairman. Such chairman, or the party acting in his or her stead during his or her absence, may administer oaths and compel the attendance of witnesses.

The Board of Zoning Appeals shall appoint a secretary who shall take minutes of all its meetings and keep its records.

The Board of Zoning Appeals shall adopt from time to time such rules and regulations as it may deem necessary to carry into effect the provisions of this Zoning Law, and all its resolutions and orders shall be in accordance therewith.

The Board of Zoning Appeals shall act in accordance with the provisions hereinafter contained in this Section, hold public hearings to determine appeals from any refusal of a building permit or statement of compliance by the Code Enforcement Officer, or review any order, decision, interpretation or refusal thereof of the Code Enforcement Officer, where such order or decision is based upon the requirements of this Zoning Law. An appeal must be made within the time prescribed by the rules of the Board of Zoning Appeals. All Board of Zoning Appeals procedures shall comply with Town Law Section 267(a) as amended from time to time.

All permitted actions by the Board of Zoning Appeals shall comply with Town Law Section 267(a) as amended from time to time.

3.1.2 Area Variances

The Board of Zoning Appeals may hear an appeal for an Area Variance to relieve dimensional or similar requirements. In considering the grant of an area variance the Board shall comply with the criteria for the granting of such variances set forth in Town Law Section 267(b) as amended from time to time.

3.1.3 Use Variances

The Board of Zoning Appeals may hear an appeal for a Use Variance to consider allowing a use not permitted by the Zoning Law. In considering the grant of a use variance the Board shall comply with the criteria for the granting of such variances set forth in Town Law Section 267(b) as amended from time to time.

3.1.4 Interpretation

The Board of Zoning Appeals may hear and decide appeals from and review any order, requirement, decision, interpretation or determination made by the administrative official charged with the enforcement of the Zoning Law in accordance with Town Law Section 267(b) as amended from time to time.

3.2 Special Permits

3.2.1 Use of Special Permits

Where authorized by this Zoning Law, the Board of Zoning Appeals, or the Town Board, shall hear and decide upon applications for Special Permits.

In addition to applying standards that may be set forth in Article III, the Board of Zoning Appeals or the Town Board in their respective deliberations with regard to the granting of any Special Permit shall comply with the provisions of Town Law Section 274(b) as amended from time to time.

In granting a Special Permit the Board of Zoning Appeals or the Town Board may impose upon the applicant such reasonable conditions as it deems necessary to protect the general welfare, health and safety of the community.

All applications for Special Permits shall be subject to Site Plan Review.

3.2.2 Application for Special Permits

The Board of Zoning Appeals, or the Town Board, shall have authority over all Special Permits as the designated administrative bodies under Town Law Section 274(b) as amended from time to time. Application for a special permit shall be made to the Code Enforcement Officer, who will forward the application to the Board of Zoning Appeals or Town Board, whichever board is designated to approve said special permit. Each application for Special Permit shall contain, at a minimum, the following information:

1. The name of the project, the name and address of the owner(s) of record of the property, and name and address of the applicant, if different.
2. A brief written narrative describing the envisioned improvements to the property, envisioned uses and activities, hours of operation and estimated number of employees and other information the applicant believes to be relevant.
3. A description of the location of the property by address and tax parcel number, total size of the parcel, and area of parcel proposed to be developed.

4. A map of the general area showing the location of the property, all streets, highways, major streams, and town, county or state parks or other facilities.
5. The names and addresses of the owners of record of all adjoining properties.
6. A completed Part I of a Short Environmental Assessment Form or Long Environmental Assessment Form per the requirements of the State Environmental Quality Review Act.
7. A plan, on one or more sheets as necessary, showing:
 - a. all property lines including metes and bounds, rights-of-ways and easements;
 - b. zoning setback lines and buffer areas;
 - c. adjacent streets and highways;
 - d. existing and proposed topography;
 - e. size and location of all existing buildings and other existing improvements on the site;
 - f. size, location and direction of flow of all stream courses or drainage ways;
 - g. location of all proposed buildings, parking, vehicular circulation and pedestrian circulation facilities;
 - h. site access and egress;
 - i. off-street unloading areas;
 - j. location and type of all proposed utilities, including onsite water and sewer facilities;
 - k. proposed exterior lighting and signs;
 - l. proposed landscaping;
 - m. proposed storm-water maintenance facilities; and
 - n. any other proposed improvements to the site.
8. The presence of any flood plain areas designated by the National Flood Insurance Program, officially established Critical Environmental Areas or Tompkins County Unique Natural Areas on the site.
9. Any other information deemed reasonable and necessary by the Board of Zoning Appeals or Town Board.

When considering a proposed site plan as part of its consideration of a request for Special Permit, the Board of Zoning Appeals or the Town Board, whichever board is designated in this Zoning Law to consider the application, may waive one or more items or design details of the plan that are otherwise normally to be shown on the plan, if in its opinion the lack of such information is not a hindrance to its consideration of the proposed site plan.

3.2.3 Consultation on Requests for Special Permit

At their sole discretion, the Board of Zoning Appeals may consult with agencies or individuals, including but not limited to the Code Enforcement Officer, fire commissioners, conservation advisory committee, commission of public works, and other local and county officials, in addition to representatives of federal and state agencies, including the USDA Natural Resource Conservation Service, Tompkins County Soil and Water District, the State Department of Transportation, and the State Department of Environmental Conservation.

Additional consultation where fees are involved requires approval by the Town Board. Such fees shall be borne by the applicant.

3.3 Planning Board

The Planning Board is hereby charged with carrying out the functions provided for in Section 274(a) of Town Law: to review and approve, approve with modification and conditions, or disapprove site plans. The Planning Board may be charged with additional specific activities by resolution of the Town Board.

There is hereby established a Planning Board consisting of seven (7) persons who shall function in the manner prescribed by law.

The members of the Planning Board shall be residents of the Town of Ulysses and shall be appointed by the Town Board to serve staggered terms of seven (7) years. Vacancies occurring in said board by expiration of term or otherwise shall be filled in the same manner.

All Board members must comply with Town Law Section 271(1) as to noncompliance with minimum requirements relating to attendance and training as established by the Town Board.

The Town Board shall designate the chairman of the Planning Board. The Planning Board shall choose its vice-chairman, who shall preside in the absence of the chairman. In the absence of both the chairman and the vice-chairman, the Planning Board shall choose one of its number as acting chairman. Such chairman, or the party acting in his or her stead during his or her absence, may administer oaths and compel the attendance of witnesses.

The Planning Board shall appoint a secretary who shall take minutes of all its meetings and keep its records.

The Planning Board shall adopt from time to time such rules and regulations as it may deem necessary to carry into effect the provisions of this Zoning Law and all its resolutions and orders shall be in accordance therewith.

3.4 Site Plan Review

3.4.1 Establishment

The Planning Board is hereby charged with carrying out the review and approval functions provided for in Section 274(a) of Town Law: to review and approve, approve with modification and conditions, or disapprove site plans. The Planning Board may be charged with additional specific activities by resolution of the Town Board.

3.4.2 Applicability

Whenever the approval of a site plan is required by any other provision of this Zoning Law, a proposed site plan must be submitted to the Planning Board for its review and approval, prior to issuance of any building permit. No building permit shall be issued for any proposed improvements that would be in violation of use restrictions, required yard setbacks, lot coverage limits or any other provisions of this Zoning Law.

3.4.3 Procedure

Sketch Plan Conference. The applicant shall have a Sketch Plan Conference with the Code Enforcement Officer and the Planning Board Chair or his or her designee. The sole purpose of the sketch plan review is to review generally and informally the proposed project, to advise the applicant as to the general process and the application requirements.

PHASE I: APPLICATION

The applicant shall make formal application for site plan approval by submitting:

1. A completed and signed application form;
2. Payment for all application fees;
3. Completed and signed Part I portion of the Short Environmental Assessment Form (SEAF) or the Long Environmental Assessment Form (LEAF), whichever is applicable;
4. Two full-size prints of the proposed site plan and eight (8) reduced copies of the proposed site plan on paper sheets no larger than 11 inches by 17 inches;
5. Other information necessary to describe the proposed action (See [Article III, Section 3.4.4](#)).

The application shall be considered accepted for review by the full Planning Board when the Code Enforcement Officer and the Chair of the Planning Board agree that the above information has been received.

PHASE II: PRELIMINARY REVIEW

The Planning Board will conduct a preliminary review of the proposed site plan no later than 30 days from the receipt of the proposed site plan by the chair of the Planning Board. If in the course of said review the Board determines that additional information is needed, the information shall be submitted to the Code Enforcement Officer by the Applicant and then forwarded to the chair of the Planning Board, and the preliminary review will continue no later than 30 days from the receipt of any requested supplementary information by the chair of the Planning Board.

PHASE III: PUBLIC HEARING

- (A) The Planning Board shall schedule a Public Hearing no later than 62 days from its determination that the application is complete. The Applicant shall be informed of that Public Hearing date by the Code Enforcement Officer within five (5) business days of the determination of the hearing date by the Planning Board.
1. Notice of the Public Hearing shall be advertised in the official newspaper at least five (5) days prior to the date of said public hearing;
 2. The applicant shall be billed by the official newspaper;
 3. Notice of the public hearing shall be mailed to the owners of record as of the last filed assessment roll within 500 feet of the subject property at least five (5) days prior to the public hearing.
- (B) At the time the Applicant is notified of the Public Hearing date he or she will be required to obtain signage provided by the Planning Board by way of the Code Enforcement Officer to be

posted at the site by the applicant in such a manner as to be readily visible to the public from the nearest adjacent public road at least ten (10) days prior to the Public Hearing.

PHASE IV: POST-PUBLIC HEARING REVIEW

After the conclusion of the Public Hearing the Planning Board shall within 62 days render a decision on the proposed site plan, to be carried out by the Code Enforcement Officer. The Planning Board's action shall be in the form of a resolution to the effect that the proposal is approved, disapproved, or approved with modification and/or conditions. The Planning Board shall file a copy of its resolution with the Town Clerk within five (5) days of the decision. The Town Clerk shall notify the applicant in writing of the Planning Board's decision.

The Planning Board's resolution may include reasonable conditions, including modifications to the site plan to be incorporated in the final proposal. Conformance with specified modifications shall be considered a condition of approval.

In accordance with Section 274(a) of Town Law, the Planning Board shall have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to a proposed site plan.

A final site plan shall be submitted by the applicant to the Code Enforcement Officer and must incorporate any conditions or modifications that may have been made by the Planning Board in its resolution. Compliance with all conditions shall be clearly indicated by the Applicant and shall conform to the approved proposal.

The following additional information must accompany a final site plan:

1. Record of application for and approvals of all necessary permits from federal, state and county officials;
2. Any changes or additions in sizing and final material specification of all required improvements; and
3. An estimated project construction schedule.

The Chair of the Planning Board or his or her designee shall endorse the Planning Board's approval by signature or stamp on an original final site plan drawing set and related supporting documents.

If the proposal is disapproved, the Planning Board's statement will state the reason(s) for such disapproval. In such a case, the Planning Board may recommend further study of the proposal and resubmission to the Planning Board after it has been revised or redesigned. The Planning Board may grant to the applicant a continuance of the review process or adjourn the conclusion of the public hearing until a later date agreed to by the applicant.

Upon disapproval of a final proposal, the Planning Board shall so inform the Code Enforcement Officer and the Code Enforcement Officer shall not issue a Building Permit to the applicant. The Planning Board must provide specific written findings as to the applicable criteria set forth in Section 3.4.5 before it can disapprove a final proposal. A copy of the resolution of disapproval shall be filed with the Town Clerk within five (5) days of the decision by the Planning Board. The Town Clerk shall notify the applicant in writing of the Planning Board decision and the stated reasons for disapproval.

If no decision is made within the 62 day period following the conclusion of the public hearing, the proposal shall be considered approved as submitted.

3.4.4 Site Plan Information Required

Application for site plan approval shall be made to the Code Enforcement Officer, who will forward the application to the Planning Board. Each application for site plan approval shall contain, at a minimum, the following information:

1. Names and addresses of all owners of record.
2. A detailed site plan showing all integral elements within 300 feet of the proposed project site, including but not limited to:
 - a. property lines for the site, including metes and bounds;
 - b. locations of adjacent public and private streets and highways;
 - c. approximate size and locations of all existing and proposed buildings and structures, including locations of access drives, parking and pedestrian facilities, and off-street loading facilities;
 - d. existing vegetation;
 - e. existing and proposed overhead and underground utilities;
 - f. location and design of all water and sewerage facilities;
 - g. location of all existing streams or drainage ways, water bodies and wetlands;
 - h. proposed landscaping, size, height and location of all signs and exterior lighting;
 - i. a Town of Ulysses map showing existing roads and highways, and including any zoning district boundaries located within fifteen hundred (1,500) feet of the site perimeter;
 - j. elevation plans at an appropriate scale for all exterior facades of the proposed structure(s) and/or existing facades, plus addition(s) showing design features.
3. For new construction or alterations to any existing building, a table containing the following information must be included that shows:
 - a. area of building to be used for a particular use, such as retail operations, office storage, etc.;
 - b. maximum number of employees;
 - c. maximum seating capacity, where applicable;
 - d. number of parking spaces existing and required for all intended uses; and
 - e. Estimated type and volume of traffic.
4. Proof of applications to or approvals from any federal, state or county agency from which a permit may be required.

In addition to the above, the Planning Board may require other information related to the proposal, including but not limited to:

1. a detailed traffic study for large developments or developments in heavy traffic areas, to include:
 - a. the number of motor vehicle trips projected to enter or leave the site, estimated daily and peak-hour traffic levels;
 - b. the projected traffic flow pattern, including vehicular movements at all major intersections likely to be affected by the proposed use of the site; and

- c. the impact of this traffic upon existing abutting public and private ways in relation to existing road capacities (existing and proposed daily and peak-hour traffic levels as well as road capacity levels shall also be given);
2. site topography showing contours at intervals not exceeding five (5) feet;
3. a storm-water runoff study completed by a qualified professional;
4. a historical and cultural resources study completed to standards set forth by the State Historic Preservation Office.

The Planning Board reserves the right to request additional information related to the above submission materials as considered reasonably necessary and may choose to waive specific requirements in certain situations.

The Planning Board shall make a determination under SEQR (see Environmental Conservation Law, Section 8-0113), and comply with the State Environment Quality Review Act.

3.4.5 Review Criteria

The Planning Board's review of a Site Plan shall include, as appropriate, but shall not be limited to:

1. The location size, and design of proposed buildings, landscaping, lighting, open spaces and buffers and outdoor waste facilities;
2. The location and adequacy of vehicular access and circulation, including intersections, road widths, pavement surfaces, off-street parking and loading areas, and traffic controls;
3. The location and adequacy of pedestrian and bicycle facilities and appropriate provisions for persons with disabilities;
4. The potential effect of the proposed development on environmentally sensitive features within the site, such as stream courses, steep slope areas, mature woodlands, wetlands and other bodies of water;
5. In the case of multiple residence site plans, location and adequacy of any proposed open space and recreational facilities;
6. Protection of adjacent neighboring properties from any undue disturbance, such as may be caused by excessive or unreasonable noise, glare, vapors, smoke, fumes, dust or odors.
7. Any applicable storm-water management requirements
8. The adequacy of the site layout for beneficial coordination with adjacent properties with respect to pedestrian and vehicular traffic, recreational, space and undeveloped or "open" space; and
9. Compliance with this Zoning Law and any other applicable Town rules and regulations and policies.

3.4.6 Consultation on Proposed Site Plan

At its sole discretion, the Planning Board may consult with agencies or individuals, including but not limited to the Code Enforcement Officer, fire commissioners, conservation advisory committee, commission of public works, other local and county officials, in addition to representatives of federal and state agencies including the USDA Natural Resource Conservation Service, Tompkins County

Soil and Water District, the State Department of Transportation, and the State Department of Environmental Conservation.

Additional consultation where fees are involved requires approval by the Town Board. Such fees shall be borne by the applicant.

3.4.7 Submission of Final Detailed Site Plan

After receiving approval, with or without conditions, from the Planning Board on a site plan, the applicant shall submit a final, detailed site plan to the Code Enforcement Officer for verification before a building permit will be issued.

If more than twelve (12) months has elapsed between the time of the Planning Board's decision on the proposed site plan and the submission of the final detailed site plan, the Planning Board may require a resubmission of the proposal.

3.4.8 Performance Guarantee

The Code Enforcement Officer shall be responsible for the overall inspection of site improvements, including coordination with Public Works officials and other officials and agencies as appropriate.

Prior to the issuance of a Certificate of Occupancy and/or Site Plan Compliance Certificate, the applicant shall complete all required improvements to the satisfaction of the Code Enforcement Officer, who shall file with the Planning Board a letter signifying the satisfactory completion of all improvements required by the Planning Board.

In the instance when all improvements shown on the approved site plan are not yet completed, the Code Enforcement Officer may issue a Certificate of Occupancy and/or Site Plan Compliance Certificate upon:

1. deposit by the applicant with the Town Clerk of a certified check in an amount set by the Planning Board to cover the full cost of the required improvements, or
2. filing by the applicant with the Town Clerk of a performance bond to cover the full cost of the required improvements. Any such bond shall comply with the requirements of Section 274(a) of the Town Law and, further, shall be satisfactory to the Town Board and Town Attorney as to form, sufficiency, manner of execution, and surety. A period of one (1) year, or such other period as the Planning Board may determine appropriate, not to exceed three (3) years, within which required improvements must be completed shall be set forth in the bond.

3.4.9 Waiver of Requirements for Site Plan Approval

When considering a proposed site plan, whether it is a general site plan, preliminary site plan or final site plan, the Planning Board may waive one or more items or design details of the plan that are otherwise normally required under [Article III, Section 3.4.4](#) to be shown on the plan, if at its discretion it determines that the lack of such information is not a hindrance to its consideration of the proposed site plan.

3.4.10 Modifications to Approved Site Plans

If at any time subsequent to the approval of a final site plan by the Planning Board an applicant or property owner desires to modify the site plan as approved, an application with the revised site plan shall be submitted to the Planning Board for its consideration of approval. The Planning Board shall hold a public hearing on said application of the proposed site plan, and impose any conditions, modifications or additional requirements upon the approval as it may determine appropriate in the furtherance of this Zoning Law and the Ulysses Comprehensive Plan.

Such modification may be made without resubmittal and approval by the Planning Board, upon receipt of a building permit, if it:

1. does not involve a violation of any conditions imposed by the Planning Board in its original grant of final site plan approval; and
2. does not involve the shift of the location of one or more buildings or structures a distance exceeding ten (10) feet in any one direction from the location shown on the final site plan as approved, provided, however, that such a shift does not result in an encroachment on any required yard setback or buffer area; and
3. does not alter the location of any proposed points of ingress into or egress from the site, or proposed traffic flow within the site; and
4. is reviewed and approved by the Code Enforcement Officer and Planning Board Chair.

or if the proposed modification of final site plan approval involves:

1. construction of or alteration to less than 500 square feet of interior space, or construction which results in the increase in the amount of square feet of an existing building by less than ten (10) percent, whichever is less;
2. construction, alterations or renovations to the exterior of a building without any change in building footprint, provided said alterations do not affect the size and locations of windows or doorways, or are changes necessitated by New York State Fire Prevention Code and Building Construction Code or its successors;
3. construction of or relocation of three (3) or fewer parking spaces;
4. a shift that does not alter the location of any proposed points of ingress into or egress from the site, or proposed traffic flow within the site;
5. installation of any below- or above-ground utilities; and
6. no violation of any conditions imposed by the Planning Board in its original grant of final site plan approval.

3.5 Rezoning for DD—Development Districts or Other Rezoning Actions

3.5.1 Requests for Rezoning

The Town Board shall review the request for rezoning, upon submission of preliminary materials to adequately describe the scope of the project to the Town Zoning Officer. Should the Town Board decide that the proposed request for rezoning merits further consideration, the Board shall direct the

applicant to proceed with a sketch plan conference, and then shall refer the proposal to the Planning Board for further review and recommendations. The Town Board shall be the lead agency for the Public Hearing and State Environmental Quality Review (SEQR) as required for changes in zoning. In addition, the Planning Board may schedule a separate Public Hearing and SEQR as part of Site Plan Review.

Sketch Plan Conference. The applicant for any rezoning action shall have a Sketch Plan Conference with the Code Enforcement Officer, the Planning Board Chair, The Town Board Planning Liaison, and the Planning Management Officer. The purpose of this conference is to generally and informally review the proposed project, to advise the applicant as to the general process and the application requirements, and to coordinate the rezoning between the Town and Planning Boards. Rezoning actions are at the discretion of the Town Board and do not have a specified time frame within which the action must be decided.

A. Upon receipt of a request for review of rezoning, the Planning Board shall:

1. review the proposed rezoning for compliance with the Ulysses Comprehensive Plan for development of the Town of Ulysses and make a finding that it is in conformance with the Town Comprehensive Plan;
2. review the development for the proposed site rezoning, including any proposed structures or modifications of structures using the review criteria outlined in Section 3.5 for compliance with district regulations of the zoning district for which rezoning is requested and with relevant sections of this Zoning Law, and require such changes as may be necessary to ensure compliance;
3. adopt a resolution recommending approval, approval with modifications, or disapproval of the proposed Development District and general site plan, and forward the same to the Town Clerk within the required time period set forth in Town Law.

B. The Planning Board shall consider:

1. the need within the community for the proposed use;
2. the desirability of the proposed location;
3. the compatibility of the proposed use with the existing character of the neighborhood in which the proposed use would be located, and the impact on the future quality of the neighborhood;
4. safeguards proposed by the applicant to mitigate possible detrimental effects of the uses within the proposed rezoning on the entire area and on adjacent property;
5. safeguards proposed by the applicant to preserve existing trees and outstanding topographic or geologic features, and reduce potential for soil erosion and sedimentation.

3.5.2 Requirements for Rezoning Plan

The applicant(s) or petitioner(s) shall submit a plan of the site to be rezoned to the Town Board that shall clearly show:

1. property lines, including metes and bounds;
2. all public streets abutting the lot or parcel;
3. site topography;

4. location and size of all existing structures and site utilities, points of ingress and egress, parking and loading areas and pedestrian facilities;
5. location of all existing streams, woodland, wetlands and other significant natural features;
6. location and size of all proposed structures and site utilities, points of ingress and egress, parking and loading areas and pedestrian facilities; and
7. other plans and specifications related to the proposed use of the site deemed reasonably necessary by the Town Board for a thorough understanding of the proposed use.

3.5.3 Development District Rezoning Plan

The purpose of a Development District is to give flexibility to the Zoning Law in order to accommodate such developments as would be beneficial to the community, but which are not now permitted in the established zoning district where the proposed project is located. These development districts must not be contrary to the Ulysses Comprehensive Plan or the Zoning Law. In addition to the requirements for rezoning, a proposed Development District shall be a minimum of three (3) acres. Site plan material submitted with the application for review by the Planning Board must be in accordance with the Town Development District Application procedure, available from the Code Enforcement Officer, and amended as necessary from time to time.

3.5.4 Process for Rezoning by Town Board

Upon receipt of the requested recommendation from the Planning Board, the Town Board shall hold a Public Hearing and State Environmental Quality Review, after which it may, at its discretion, approve the proposed rezoning request, disapprove the proposed change, or approve it with modifications. The Town may impose any conditions, modifications, or additional requirements upon the approval as it may determine appropriate in the furtherance of this Zoning Law and the Town Comprehensive Plan. In making its decision the Town Board shall make an affirmative finding that the proposed change is in conformance with the Town Comprehensive Plan.

An affirmative vote of at least four (4) members of the Town Board shall be required to establish the Development District if:

1. the Planning Board recommends that the proposed Development District not be approved based on the Ulysses Comprehensive Plan; or
2. the Planning Board recommends that the proposed Development District be approved but with modifications, including modifications of proposed allowed uses and to the proposed site plan, that the applicant is not willing to make.

The Town Board in establishing a new zoning district shall define in writing the boundaries of the new district, approve the site plan and list all specifications and restrictions approved for the site plan. The site plan as approved by the Town Board shall be binding on the applicant.

Upon the approval by the Town Board of a site plan submitted as part of an application or petition for the establishment of a Development District, said site plan shall be submitted to the Planning Board for consideration of final site plan approval if not previously conducted as part of the rezoning review.

Article IV — Definitions

4.1 General

For the purpose of this Zoning Law certain words shall have the following meanings unless otherwise required by the context:

1. Words used in the present tense include the future;
2. The singular number includes the plural, and the plural the singular;
3. The word “building” includes the word “structure”;
4. The word “occupied” includes the words “designed or intended to be occupied”; and
5. The word “used” includes the words “arranged, designed or intended to be used.”

4.2 Definitions

Accessory building	A building subordinate to and clearly incidental to the principal building on the same lot, and used for the purposes customarily incidental to those of the principal building. An accessory building shall not contain habitable space. For the purposes of this law, tractor trailers, shipping containers, PODs, and similar structures are not considered to be accessory buildings.
Adult care, family	Any building used for the care, protection and supervision for fee, at least once a week, of not more than six (6) elderly or disabled adults for part of a 24-hour day by a resident of the dwelling, such care to include personal assistance, development of skills for daily living and opportunities for social contact, excluding, however, the care of an adult(s) given by relatives.
Adult care, group	Any building used for the care, protection and supervision for fee, more than once a week, of more than six (6) but not more than twelve (12) elderly or disabled adults for part of a 24-hour day by a resident of the dwelling, such care to include personal assistance, development of skills for daily living and opportunities for social contact.
Adult care center	A building used for the care, protection and supervision for fee, of more than twelve (12) elderly or disabled adults for part of a 24-hour day, such care to include personal assistance, development of skills for daily living and opportunities for social contact.
Adult entertainment business	A business, including arcades, book stores, theatres, dance clubs, massage parlors and similar establishments, providing live, motion picture, videocassette, slide, photographic or computer-generated visual entertainment characterized by: (a) the display of less than opaquely covered female human genitals or male human genitals in a

discernible turgid state, the human pubic region, buttocks, or female breast or breasts below the top of the areola; or (b) human sexual activity including human genitals in a state of sexual arousal, or acts of sexual intercourse, sodomy or masturbation, or fondling or other touching of human genitals, pubic region, buttocks or breasts for the purpose of sexual arousal; and/or the retail sale of books, magazines, newspapers, movies, slides, films, devices or other photographic or written reproductions characterized by: (a) the display of less than opaquely covered female human genitals or male human genitals in a discernible turgid state, the human pubic region, buttocks, or female breast or breasts below the top of the areola; or (b) human sexual activity including human genitals in a state of sexual arousal, or acts of sexual intercourse, sodomy or masturbation, or fondling or other touching of human genitals, pubic region, buttocks or breasts for the purpose of sexual arousal.

Agricultural commerce	A retail or wholesale enterprise operated as an accessory use to an active farm on the same premises providing services or products principally utilized in agricultural production, including structures, agricultural equipment and agricultural equipment parts, batteries and tires, livestock, feed, seed, fertilizer and equipment repairs, or providing for wholesale or retail sale of grain, fruit, produce, trees, shrubs, flowers or other products of agricultural operations.
Agriculture	The use of land and on-farm buildings, equipment, manure-processing and -handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a commercial horse-boarding operation as defined in the Agriculture and Markets Law Article 25-AA, Section 301. (See also " farm .")
Airport	An area of land or water set aside and designed for the landing and take-off of aircraft, that is regulated by the Federal Aviation Administration (FAA), and that includes facilities necessary for the housing and maintenance of aircraft.
Airstrip, private	An area of land or water set aside and designed to be utilized by the owner of the property for the landing and take-off of aircraft, and that includes facilities necessary for the housing and maintenance of aircraft.
All-weather surface	Any roadway, driveway, alley or parking lot surface paved with crushed stone, asphalt, concrete or other pervious or impervious material in a manner that will support the weight of anticipated vehicular traffic in all weather conditions and minimize the potential for ruts, potholes or pooling of water. (See also " impervious surface .")
Amusement park	A facility providing rides, games, variety shows and other forms of entertainment, and food and drink for the amusement of the general public.

Bar	An establishment primarily engaged in the retail sale of alcoholic drinks such as beer, ale, wine and liquor, for consumption on the premises.
Bed and breakfast	An owner-occupied, one-family dwelling used for providing overnight accommodations and a morning meal to not more than ten (10) transient lodgers and containing at least three (3) but not more than five (5) bedrooms for such lodgers.
Boarding house	A building arranged or used for lodging for compensation, with or without meals, for up to fifteen (15) occupants, and which is not occupied as a single-family unit .
Breast height (B.H.)	The standard height at which the caliper (diameter) of a tree is measured, four and one half feet (4½ ft.) above the base of the trunk of the tree.
Buffer, stream protection	A strip of land on each side of a stream that is left vegetated or replanted with native woody tree and shrub plants to provide several important societal services, including flood reduction, erosion control, groundwater filtration, surface water quality improvement and wildlife habitat.
Building	Any structure having a roof supported by columns, posts or walls.
Building height	The distance from the average grade level to the highest point of a building or structure.
Camper	A dwelling designed and used for temporary residence mounted on a chassis designed to be towed or mounted on a truck for travel over roads and highways. Units may be self-contained or designed for temporary connection to electric, water or sewerage utilities. See also “motor home.” (See also “ motor home .”)
Campground, group	Any land or facility for seasonal housing and recreational, educational or business-related use by private groups or semi-public groups, such as a boy or girl scout camp, fraternal lodge, university or college conference center, or religious camp or conference center.
Campground, overnight	Any parcel of land on which are located two or more tent sites, or small camper sites, such as “pop-up” type, and is primarily used by overnight, weekend, or short term, (not seasonal), campers, and for which fees are charged. Large campers, such as Class A or C self-propelled units, are clearly an incidental and accessory use and limited to no more that 10% of the campsites. Storage on more than 10% of the campsites. Storage on more than 10% of the total site capacity and commercial sales of Class A or C vehicles are prohibited.
Campground, seasonal	Any parcel of land on which are located two or more cabins, park models, travel trailers, recreational vehicles or other accommo-

	dations of design or character suitable for seasonal or temporary living purposes, and on which these accommodations may be stored year around, and for which fees are charged. Each seasonal camp site shall be connected to utilities and sanitary waste disposal system.
Caterer	A person or enterprise for hire that prepares food for consumption predominately off-premises.
Child care, family	The care, protection and supervision for fee, more than once a week, of not more than six (6) children at any one time by a resident of a dwelling. Children of the resident under the age of sixteen (16) shall be counted in determining the number of children being cared for.
Child care, group	The care, protection and supervision for fee, more than once a week, of more than six (6) but not more than twelve (12) children at any one time. If conducted within a dwelling by a resident of said dwelling, children of the resident under the age of sixteen (16) shall be counted in determining the number of children being cared for.
Child care center	A building used for the care, protection and supervision for fee, more than once a week, of more than twelve (12) children at any one time. If conducted within a dwelling by a resident of said dwelling, children of the resident under the age of sixteen (16) shall be counted in determining the number of children being cared for.
Clinic	A building designed and utilized in the diagnosis and treatment on an outpatient basis only of persons who are sick or injured, providing clinical, temporary, surgical and laboratory medical services.
Code Enforcement Officer	The person or their designee appointed by the Town Board and charged with the authority and responsibility for enforcing the provisions of this Zoning Law and the decisions of the Board of Zoning Appeals.
Community center	A place, structure or other facility used for fraternal, social, educational and recreational programs generally open to the public and intended to serve significant segments of the community.
Condominium	A form of real estate ownership in which a party owns one (1) or more dwelling units or other enclosed space, and together with the other owners dwelling units or enclosed spaces owns an undivided interest in the common elements of the building or development. Common elements generally include the land on which the building stands, the lobby, public halls, driveways, access roads and parking areas, and the electrical, mechanical, heating and air conditioning systems that service the building and grounds.
Conference center	A building or structure designed and available to rent to persons, businesses or organizations for the purpose of one (1) or more group meetings, social events, exhibitions or other large gatherings.

	Restaurant or cafeteria facilities may be included in such a building or structure.
Cottage industry	A manufacturing, construction or service enterprise owned and operated by a resident of the principal dwelling on a lot, but which is not engaged in retail sales with established hours of operation, or services on the premises, and which does not employ more than ten (10) persons on site not residing on the property.
Cul-de-sac	See " road, dead-end. "
District	See " zoning district. "
Drive-through	A retail facility or portion thereof from which business is transacted, or is capable of being transacted, directly with customers located in a motor vehicle during such business transaction.
Dwelling	A building or portion thereof designed and used for human habitation, with an independent entrance and with provisions for living, cooking, sanitary and sleeping facilities arranged for the use of one (1) family, excluding tents, hotels, motels or other building designed for transient residence.
Dwelling unit	A single unit providing complete independent living facilities for one (1) or more persons, including permanent provisions for living, cooking, sanitation and sleeping. Except for elder cottages, a minimum dwelling unit shall not be less than 750 square feet.
Elder cottage	A separate, detached one (1)-family dwelling of not less than 560 square feet and not more than 750 square feet. The unit may be manufactured housing provided that the width of the unit shall be no less than 22 feet. The unit shall be designed to be temporarily placed on a lot as an accessory dwelling to the principal dwelling, for the purpose of providing housing for one (1) or more persons related by blood, marriage or adoption.
Extractive industry	The extraction of overburden and minerals from the earth; the preparation and processing of minerals, including any activities or processes used for the extraction or removal of minerals from their original location and the preparation such as washing, cleaning, crushing, stockpiling or other processing at the mine location that makes a mineral suitable for commercial, industrial or construction use. For the purpose of this Zoning Law, borrow pits (excavations for removing material for filling operations) which exceed 2,000 tons in a one (1)-year period are considered extractive industry.
Fair	A competitive exhibition of agricultural products and animals, usually with accompanying food and merchandise vendors, displays, entertainment and amusements.

Family	An individual or two (2) or more persons related by blood, marriage or adoption, or including foster children, occupying a dwelling unit and living as a single household. For the purpose of this Zoning Law, a family may also consist of not more than three (3) unrelated individuals occupying one dwelling unit. The two definitions can be combined.
Family child care	See “ child care, family. ”
Farm	The land and buildings, equipment, manure-processing and -handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a commercial horse-boarding operation as defined in the Agriculture and Markets Law Article 25-AA, Section 301. (See also “ agriculture. ”)
Feedlot	A structure, pen or corral wherein cattle, horses, sheep, goats or swine are maintained in close quarters for the purpose of fattening such livestock for shipment to market.
Flag lot	See “ lot, flag. ”
Fraternal organization	An organization of persons, excluding churches, mosques, synagogues, temples or other places of worship, formed for a specific purpose such as the promulgation of arts, literature, politics, civic involvement or other mutual interest, or out of a common experience or heritage, but not operated for profit.
Frontage	The length of the boundary line of a lot abutting on the public highway right-of-way. In the case of lots that bound on a lake shore, the length of the boundary line abutting the lake on a line or lines running parallel to the general shoreline.
Fully shielded light	An outdoor light fixture shielded or fabricated so that no light rays are emitted by the installed fixture at angles above the horizontal plane as certified by a photometric test report.
Glare	Light emitting from a luminaire with intensity great enough to reduce the viewer’s ability to see, and in extreme cases with intensity great enough to cause momentary blindness.
Grade	The average finished ground level of the land at which the perimeter of a building or structure meets the ground.
Group campground	See “ campground, group. ”
Group child care	See “ child care, group. ”
Handicapped person	See “ person with disabilities. ”

Handicraft item	An object that requires use of the hands, hand tools and human craft skills for its production, and which is usually not adaptable to mass production by mechanical means.
Health club	A private gymnasium, athletic, fitness, health or recreational facility, or reducing salon or weight-control establishment.
Home occupation	An occupation, profession, activity or use performed by the resident that is clearly a customary, incidental and secondary use of a residential property, including but not limited to dressmaking; hairdressing; cooking, baking, and meal preparation for consumption off-premises; wholesale or retail sales not involving the display of goods; wood- and metalworking; word- and data-processing; and which does not affect the use of the property for residential purposes or alter the exterior residential character of the property.
Hospital	An establishment for temporary occupation by persons who are sick or injured for the purpose of medical diagnosis and treatment, including clinical, temporary, surgical, laboratory and emergency medical services.
Hostel	An establishment providing transient, overnight accommodations, typically characterized by low cost, shared use of a self-service kitchen, common areas, sleeping rooms and bathroom facilities.
Hotel	A multiple dwelling used primarily for the purpose of furnishing for compensation lodging, with or without meals, for transient guests, and which may provide additional services such as restaurants, meeting rooms, recreational facilities and shops for the sale of gifts and incidental items to guests.
Hunting club	A building, facility or organization catering exclusively to members and their guests, and including facilities for trap shooting, target shooting, and archery, for both practice and competition, and other outdoor recreational pursuits by members and their guests, except motorized racing, provided, however, that there are not conducted any vending stands, merchandising or other commercial activities except as may be incidental to the operation and maintenance of the facility, and generally for the benefit of members and to further the purposes of the club.
Impervious surface	Any material or surface that substantially reduces or prevents the infiltration of water into the ground, including areas covered by buildings, conventionally surfaced roads and highways, driveways and parking lots, and sidewalks. (See also " all-weather surface .")
Inn	See " hotel ."
Junkyard	An open area used for the storage or accumulation of wastes, used and secondhand materials including but not limited to building materials, scrap metal, plastic, paper, rags, glass, broken appliances

	<p>and electronic equipment, rubber tires, bottles, refuse, inoperative vehicles and other machinery, and other debris that is not generated by or used in any ongoing agricultural operations on the premises. For the purpose of this Zoning Law an automobile wrecking yard is also considered a junkyard.</p>
Kennel	<p>Any building or lot where four (4) or more dogs are raised and/or boarded for the purpose of sale, breeding, training or exhibition, or are boarded for a fee or are sheltered for humanitarian reasons.</p>
Light fixture	<p>The assembly that houses a lamp or lamps and which can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.</p>
Light industry	<p>The manufacture of finished products or parts predominantly from previously processed or prepared materials, including processing or fabrication, assembly, treatment, packaging, incidental storage, or sales and distribution of such products.</p>
Life-care facility	<p>A facility for the residency of persons aged 55 or older and/or persons with disabilities that includes one or more of the following features or services: individual dwellings; congregate apartments where residents may share common meals; nursing home facilities; laundry services; common recreational facilities; and other personal services.</p>
Lodge	<p>A building or buildings in which overnight accommodations and meals may be offered to paying transient guests, where such use is secondary to an active farm operation.</p>
Lot	<p>A parcel of land that may be occupied by one (1) or more principal buildings and accessory buildings for uses customarily incidental to the principal buildings, including such open spaces as are used in connection with the principal building or buildings.</p>
Lot, corner	<p>A lot or parcel of land abutting two (2) or more public or private road or highway rights-of-way at their intersection, or on two (2) sections of the same road or highway.</p>
Lot, flag	<p>A lot meeting the minimum lot area, lot width and lot depth requirements of the zoning district within which it is located, and which is connected to a public road or highway right-of-way by a strip of land, called a pole.</p>
Lot area	<p>All of the land between the boundary lines of a lot but not including any portion of the public highway right-of-way that may be included in the deed description of said lot.</p>
Lot coverage	<p>That portion of a lot covered by all buildings or structures on a lot or parcel, including concrete, asphalt or similar impervious surfaces</p>

used for parking, sidewalks, drives and roads. Driveways, walkways, and parking areas for a single-family or two-family dwelling on the lot are excluded from the calculation of lot coverage.

Lot depth	The least distance measured perpendicular from the front lot line to the rear lot line of a parcel.
Lot line	A boundary line of a lot.
Lot line, front	The lot line or lines of a parcel of land coterminous with a public highway right-of-way or private road, or approximately parallel to and nearest to a public highway right-of-way or private road as determined by the Code Enforcement Officer, or, in the case of lots that bound on a lake shore, the line coterminous with or approximately parallel to the published mean high-water line.
Lot line, rear	The lot line or lines of a parcel of land on the opposite side of said parcel from a public highway right-of-way or private road, or on the opposite side of said parcel approximately parallel to and nearest to a public highway right-of-way or private road as determined by the Code Enforcement Officer.
Lot line, side	Any lot line that is not a front or rear lot line.
Lot width	The shortest distance between the side lot lines, measured from the point where each side lot line intersects with the minimum front lot setback line.
Luminaire	A complete lighting system, including a lamp or lamps and the attendant light fixture.
Manufactured home	A dwelling which is factory-built in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Sec. 5401) and which is transportable in one or more sections, is affixed to a chassis with axles and wheels, and is designed to be placed on a permanent or temporary foundation.
Manufactured home, doublewide	A manufactured home comprised of at least two (2) sections transported separately and attached on site, and having a minimum width of twenty-two (22) feet.
Manufactured home, singlewide	A manufactured home comprised of no more than one (1) section, on a single chassis, and having a width of at least twelve (12) feet.
Manufactured home park	A parcel of land under single ownership that has been improved for the purpose of renting or leasing sites for the placement of manufactured housing.
Marina	A facility for berthing, servicing, fueling, launching and storage of private watercraft that may also include the sale, lease, rental or charter of watercraft, and the sale of fuel, marine products and

	accessories, and incidental supplies for water craft owners, crews and guests.
Mobile home	A dwelling which is factory-built, transportable in one or more sections, affixed to a chassis with axles and wheels, and designed to be placed on a permanent or temporary foundation, but which is not built in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Sec. 5401).
Motel	A multiple dwelling used primarily for motorists, not over two (2) stories in height, in which the exit from each dwelling unit or sleeping room is directly to the exterior. The term includes but is not limited to the terms motor court, motor hotel, and tourist court.
Motor home	A dwelling designed for temporary residence mounted on a self-propelled chassis designed for travel over roads and highways. Units may be self-contained or designed for temporary connection to electric, water or sewerage utilities. (See also " camper .")
Nonconforming use	A building, structure or use of land existing at the time of the enactment of this Zoning Law which does not conform to the zoning regulations of the district in which it is situated.
Nursing home	An extended- or intermediate-care facility licensed or approved to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.
Park, community	A parcel of land in public or private ownership available to the public for daytime and evening recreational, educational, cultural or scenic purposes, intended for use by residents living within a few miles of the facility.
Park, regional	A parcel of land in public or private ownership available to the public for daytime, evening and overnight recreational, educational, cultural or scenic purposes, such as a county, regional or state park.
Pavement	See " all-weather surface ."
Person with disabilities	A person having a physical or mental impairment that substantially limits one or more of the person's major life activities so that such a person is incapable of living independently; possessing a record of having such an impairment; and being regarded as having such an impairment. This term, however, does not include current illegal use of or addiction to a controlled substance, nor does it include any person whose presence would constitute a direct threat to the health and safety of other individuals.

Plat	(1) A map representing a tract of land, showing the boundaries and location of individual properties and roads; (2) a map of a subdivision or site plan.
Plot plan	See “ site plan .”
Preserve	A tract of land dedicated to the protection of one or more scenic or environmental attributes, including but not limited to flora, fauna, geological features, lakes, streams, wetlands or other hydrological features.
Principal building	The building on a lot which provides housing for the owner or tenants, or, in a business or industrial zoning district, the largest building on the lot.
Professional office	The place of business or practice of an accountant, architect, landscape architect or other design professional, doctor or other duly licensed medical practitioner or therapist, dentist or orthodontist, engineer, insurance agent, lawyer, real estate agent or broker, securities broker or similar profession, or the place of business or practice of a group of such professionals operating as a partnership, corporation or other legal business arrangement.
Project site	Any area that has been or will be physically changed as a result of a proposed development or construction project, or has been or will be utilized on a temporary basis during the course of construction.
Recreational vehicle	See “ motor home ” and “ camper .”
Research and development	A business or facility dedicated to research, investigation, enterprise, experimentation, testing and product development, including but not limited to computer software, data compilation and manipulation, but not including facilities for manufacturing, distribution or sales of products, except as an incidental activity.
Residence, farm worker	A temporary or permanent structure that is clearly accessory to an agricultural operation and occupied by farm workers employed on the premises and their families.
Residence, multiple-family	A building or structure situated on a single lot and containing three (3) or more dwelling units.
Residence, single-family	A building or structure situated on a single lot and containing one (1) dwelling unit, including doublewide manufactured homes.
Residence, two-family	A building or structure situated on a single lot and containing two (2) dwelling units.

Residential care/ assisted living/ rehabilitation facility	A building or portion thereof housing persons on a 24-hour basis who because of age, mental disability, addiction or other reasons live in a supervised residential environment that provides personal-care services, but who nonetheless are capable of responding to an emergency situation without any physical assistance from staff, including but not limited to residential board and care facilities, assisted living facilities, halfway houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol- and drug-abuse centers and convalescent facilities.
Restaurant	An establishment whose principal business is the sale of food and/or beverages to customers in a ready-to-consume state, where the sale of alcoholic beverages is incidental to the sale and consumption of food, and where customers are served their food and beverages by a restaurant employee for consumption: (a) at the same table or counter at which the food or beverages are served, or (b) elsewhere within the building, or (c) within a motor vehicle parked on the premises, or (d) off the premises as carry-out orders.
Right-of-way, highway or road	A strip of land owned or controlled by the Town government for the purpose of providing access to abutting lots or for providing a bed for a future improved roadway. All town rights-of-way are shown on the Town of Ulysses Official Map. Unless otherwise indicated, all Town rights-of-way are sixty (60) feet wide.
Road	A street, avenue, lane, highway or other public way; a public right-of-way improved or intended to be improved for traffic. A private drive is not considered to be a road.
Road, major	A road with the capacity to serve heavy flows of traffic and intended primarily as a route for traffic between areas generating heavy volumes of traffic.
Road, minor	A road intended to serve primarily as an access to abutting properties.
Road, dead-end	A road or a portion of a road with only one vehicular traffic outlet.
Road pavement	The wearing or exposed surface of a roadway used by vehicular traffic.
Road width	The width of a right-of-way, measured at right angles to the centerline of the road.
Roadside stand	A temporary or permanent accessory structure, wagon or trailer, not exceeding 240 square feet in size, for the purpose of retail sale of produce, baked goods and handicraft items to the public.
Sauna	A steam bath or heated bathing room used for the purposes of bathing and relaxation, with steam or hot air used as a cleansing and relaxing agent.

Sawmill, commercial	A facility, generally operating on one (1) or more full-time work shifts, five (5) or more days per week, constructed for the processing of timber logs into forestry products such as milled lumber, cants, treated posts, firewood and wood by-products such as slab wood, wood chips, bark chips and sawdust, and including planing and sizing facilities, kilns, storage yards and accessory maintenance facilities incidental to sawmill operations.
Sawmill, small-scale	A facility for the processing of timber logs into forestry products such as milled lumber, cants, treated posts, firewood and wood by-products such as slab wood, wood chips, bark chips and sawdust, and which may include planing and sizing facilities, kilns, storage yards and accessory maintenance facilities incidental to sawmill operations, but which is generally operated for the custom cutting of timber for local craftsmen.
Self-service storage facility	A building comprised of small self-contained units that are leased to individuals or businesses for the storage of household or business goods and supplies.
Setback	The distance between any building on a lot or parcel of land and a property line. The highway right-of-way shall be deemed a property line for the purpose of measuring setback.
Shopping center	A number of businesses located on single parcel, or adjacent parcels under single ownership, or in every case, adjacent parcels having shared access to a public thoroughfare.
Side yard	See " Yard, side. "
Sign	Any device, object or building façade or portion thereof that is used to advertise or call attention to a place, business, person, event, product or service offered. For purposes of this Zoning Law, posters, banners, or other advertisements displayed from the interior of premise are not considered signs. For the purposes of this Zoning Law, no sign shall be placed on the roof of any structure or building.
Sign face	The surface or side of an outdoor advertising sign on which advertising for goods, services or places is displayed, and including both the surface on which advertising is placed and any surrounding frame and decorative trim.
Sign, business directional	Any sign, not exceeding nine (9) square feet per side in area, posted by a business along a public road or highway for the purpose of guiding prospective customers to their location.
Sign, free-standing	Any sign not affixed to a building.
Sign, temporary.	Any sign not designated or intended to be permanently anchored to the ground and designed and intended to be capable of being transported over public roads and streets, whether or not it is transported.

Site plan	A plan for the development or use of one (1) or more lots or parcels of land that is prepared and presented to the Town for site plan review and consideration of approval pursuant to applicable sections of this Zoning Law.
Skirting	Siding that covers the area from the ground to the base of a manufactured home or porch, as defined by New York State Residential Building Code Section AE503.
Stable, commercial	A facility where one (1) or more horses are kept for riding, driving, training, breeding or sale, or are boarded for a fee, including indoor and outdoor riding arenas and paddocks, and where more than 50 percent of feed, bedding and other supplies are produced at off-premises locations, and manure and other wastes are disposed of off-premises.
Storage facility, self-service	See “ self-service storage facility .”
Stream	For the purposes of this Zoning Law, a water course that carries water for six (6) months or more throughout a year. The edge of the stream is the bank of the stream or the edge of the embankment if the stream is more than ten (10) feet below grade.
Tavern	See “ bar .”
Temporary building	A structure used for office, sales, storage or fabrication activities related to the development of a site for residential purposes, that is placed on a lot or tract of land for a period of not more than one (1) year except upon receipt of a Special Permit.
Tourist court	See “ motel .”
Townhouse	A single-family dwelling unit constructed in a group of three (3) or more attached units in which each unit extends from the foundation to the roof and with open space on at least two (2) sides.
Warehouse	A building used primarily for storage of goods and materials, also referred to as wholesale distribution center or truck terminal.
Wholesale distribution center	See “ warehouse .”
Wrecking yard	See “ junkyard .”
Yard	The unoccupied space, open to the sky, within a lot containing one (1) or more buildings.
Yard, front	The land between the public highway right-of-way and the front line of the principal building on a lot and extending to the side lot lines of the lot. In the case of lots that bound on a lake shore, the land between the published mean high-water line and the principal building and extending to the side lot lines of the lot.

Yard, side	The land between the principal building and the side lot lines of a lot, and extending through from the front yard to the rear yard.
Yard, rear	The land between the rear lot line of a lot and the rear line of the principal building on a lot and extending to the side lot lines of the lot.
Zoning district	A portion of the territory of the Town of Ulysses shown on the Zoning Map and designated for a specific land use or uses, and within which certain yards and open spaces are required and certain height limits are established for buildings, as provided for in this Zoning Law.

Article V — A1–Agricultural District

5.1 Purpose

The purpose of the A1–Agricultural District is to protect the agricultural production resources of the Town of Ulysses as seen today in viable agricultural operations, and the agricultural heritage of the Town as seen today in the variety of land uses and the openness of agricultural fields.

5.2 Right to Farm

In the A1–Agricultural District, agriculture shall be the primary land use. Within the District any agricultural practice determined to be a sound agricultural practice by the New York State Commissioner of Agriculture and Markets pursuant to Article 25-AA, Section 308, including but not limited to practices necessary for on-farm production, preparation and marketing of agricultural commodities, such as the operation of farm equipment; proper use of agricultural chemicals and other crop protection methods; direct sale to consumers of agricultural commodities or foods containing agricultural commodities produced on-farm; and construction and use of farm structures, shall not constitute a private nuisance.

5.3 Permitted Uses

In the A1–Agricultural District, no building or structure shall be erected, altered or extended, and no land or building thereof shall be used for any purpose or purposes other than the following:

Agriculture.

Commercial stables, subject to the standards set forth in [Article XVII, Section 17.20](#).

Flag lots, subject to the standards set forth in [Article XVII, Section 17.12](#).

Roadside stands, subject to the standards set forth in [Article XVII, Section 17.17](#).

Single-family residences and their accessory structures.

Two-family residences and their accessory structures.

Farm Labor Housing as regulated by the New York State Uniform Code. These residences shall be located on the same farm operation where other farm structures are located. Each dwelling must be a minimum of 560 square feet. A simplified Site Plan Review for siting considerations shall be required for more than two units. The Town may require a notarized statement from the property owner to certify that the occupants in the Farm Labor Housing are employed on the farm.

Temporary buildings as defined in [Article IV](#).

5.4 Permitted Accessory Uses

Such necessary uses as are customarily incidental to the above uses, as well as the following:

Bed and breakfast establishments, subject to the standards for parking, outdoor lighting and signs set forth in [Article XVII](#).

Business directional signs, subject to limitations set forth in [Article XVII, Section 17.4](#).

Customary home occupations, conducted solely by residents of the dwelling.

Elder cottages, subject to the provisions of [Article XVII, Section 17.10](#).

Family adult care.

Family child care.

Adult care groups.

Home occupations.

Lodges.

Professional offices where (a) such office is part of the residence building, and (b) no more than three (3) persons not residing on the premises are employed.

Signs as regulated under [Article XVII, Section 17.4](#); also note [Article XVII, Section 17.4.5](#).

5.5 Uses Allowed by Site Plan Approval

The following uses are allowed upon approval of a site plan by the Planning Board, subject to the design standards set forth in relevant sections of [Article XVII](#):

Airstrips, private.

Cemeteries as regulated by New York State, and the buildings and structures incidental to cemetery operations.

Churches, mosques, synagogues, temples and other places of worship, convents, rectories, parish houses.

Communication transmission towers and telecommunications facilities, subject to the provisions of [Article XIX](#).

Cottage industry.

Small-scale sawmills subject to the provisions of [Article XVII, Section 17.18](#).

5.6 Uses Allowed by Special Permit from the Town Board

The following uses are allowed upon approval of a Special Permit by the Town Board pursuant to [Article III, Section 3.2](#), subject to the standards set forth in relevant sections of [Article XVII](#):

Agricultural commerce when constructing a new building or adding an addition to an existing building that is greater than 50% of the existing building foot print, subject to site plan approval pursuant to [Article III, Section 3.4](#) and the provisions of Article XVII, Section 17.21.

Airports.

Animal confinement regulated by Confined or Concentrated Animal Feeding Operation (CAFO)

Animal processing structures

Group campgrounds subject to the provisions of [Article XVII, Section 17.9](#).

Campgrounds, overnight subject to the provisions of [Article XVII, Section 17.9](#)

Fire stations and other public buildings necessary for the protection or servicing of a neighborhood.

Hunting clubs.

Kennels.

Public and private schools, nursery schools and institutions of higher education, including dormitory accommodations.

Regional parks and preserves.

Golf courses, except miniature golf courses operated on a commercial basis, upon approval of the Town Board.

5.7 Lot Area and Yard Requirements

There shall be no more than two (2) residential buildings on any lot in the A1 – Agricultural District.

Minimum lot area shall be two (2) acres.

Minimum lot width at front lot line shall be 400 feet.

Minimum lot depth shall be 200 feet.

Minimum front yard setback shall be 75 feet.

Minimum side yard setbacks shall be 30 feet.

Minimum rear setback shall be 75 feet.

Maximum building height for any nonagricultural building or structure shall be 32 feet above average grade measured at the building perimeter.

Maximum lot coverage shall be five (5) percent of the lot area.

In the case of a lodge, the capacity of said facility shall be no more than one (1) overnight guest for each fifteen (15) acres of land encompassed by the parcel on which the lodge is located.

Article VI — A2—Special Agricultural District

6.1 Purpose

The purpose of the A2—Special Agricultural District is to encourage the continuing tradition of annual agricultural fairs, which are an integral part of the Town’s heritage, as well as other cultural and civic events, displays, exhibitions and entertainment events that occur within the typical fairgrounds complex.

6.2 Permitted Uses

In the A2—Special Agricultural District, no building or structure shall be erected, altered or extended, and no land or building thereof shall be used for any purpose or purposes other than the following:

Accessory building.

Agriculture.

Animal training.

Athletic competition.

Auctions, flea markets, craft fairs and merchandise sale of a temporary nature.

Circuses.

Commercial stables.

Communication transmission towers and telecommunications facilities, subject to the provisions of [Article XIX](#).

Concerts, dramas, plays, religious events and revivals, variety shows and other forms of live entertainment.

Day camps and supervised youth programs, community-sponsored programs, reunions and other public and private assemblies.

Fairs and agricultural, horticultural and animal husbandry displays, exhibitions and competitions.

Any legal form of racing.

Industrial, merchandise and arts and crafts displays, exhibitions and competitions.

Racing and other events that utilize motorized or otherwise self-propelled vehicles, except during weekdays from 7:30 AM to 5 PM during the school calendar year.

Temporary occupancy by motor homes, campers and tent dwellings, provided that such dwellings are for the use of vendors, competitors, participants and employees of an event on the grounds.

6.3 Permitted Accessory Uses

Such necessary uses as are customarily incidental to the above uses:

Signs as regulated under [Article XVII](#).

Temporary buildings as defined in [Article IV](#).

6.4 Lot Area and Yard Requirements

Minimum lot area shall be 25 acres

Minimum lot width at the front lot line shall be 1,000 feet.

Minimum lot depth shall be 200 feet.

Minimum front yard setback to any permanent structure shall be 30 feet.

Minimum side yard setbacks shall be fifteen (15) feet, or 25 feet if parallel to a public road.

Minimum rear setback shall be 35 feet.

Maximum building height for any nonagricultural building or structure, including tents, shall be 32 feet above average grade measured at the building perimeter.

Maximum lot coverage by permanent structures shall be seven and one-half (7.5) percent of the lot area.

6.5 Buffer Areas

No buildings or other structures, or parking areas, shall be located within 100 feet from a stream edge or any wetland as defined by state or federal law. With the exception of stream crossings, no roadways shall be located within 50 feet from a stream edge or any wetland as defined by state or federal law.

Article VII — R1–Rural Residence District

7.1 Purpose

The purpose of the R1–Rural Residence District is to provide for opportunities for low-density residential development. Development densities when combined with cluster residential subdivision development options have the potential for providing for attractive rural homes while preserving important open space resources consistent with the Ulysses Comprehensive Plan, and the goals of organized and logical growth, increased employment opportunities and an increased tax base.

7.2 Permitted Uses

In the Rural Residence District, no building or structure shall be erected, altered or extended, and no land or building thereof shall be used for any purpose or purposes other than the following:

Agriculture.

Flag lots, subject to the standards set forth in [Article XVII, Section 17.12](#).

Single-family residences and their accessory structures.

Two-family residences and their accessory structures.

7.3 Permitted Accessory Uses

Such necessary uses as are customarily incidental to the above uses:

Bed and breakfast establishments.

Business directional signs, subject to limitations set forth in [Article XVII, Section 17.4.3](#).

Communication transmission towers and telecommunications facilities, subject to the provisions of [Article XIX](#).

Elder cottages, subject to the provisions of [Article XVII, Section 17.10](#).

Family adult care.

Family child care.

Home occupations.

Professional offices where (a) such office is part of the residence property, and (b) no more than three (3) persons not residing on the premises are employed.

Signs as regulated under [Article XVII, Section 17.4](#); also note [Article XVII, Section 17.4.5](#).

Roadside stands, subject to the provisions of [Article XVII, Section 17.17](#).

Temporary buildings, as defined in [Article IV](#).

7.4 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 XVII](#):

Adult care centers.

Cemeteries and the buildings and structures incidental to cemetery operations.

Child care centers.

Churches, mosques, synagogues, temples and other places of worship, convents, rectories, parish houses.

Community centers.

Fraternal organizations and the clubhouse, hall, post, temple and other facilities associated with the activities of the organization, except that the on-premises sale of alcoholic beverages is prohibited.

Libraries, museums.

Residential care/assisted living/rehabilitation facilities.

Commercial stables, subject to the provisions of [Article XVII, Section 17.20](#).

7.5 Uses Allowed by Special Permit

The following uses are allowed upon approval of a Special Permit by the Town Board pursuant to [Article III, Section 3.2](#), subject to the design standards set forth in relevant sections of [Article XVII](#):

Group campgrounds, upon approval of the Town Board and subject to the provisions of [Article XVII, Section 17.9](#).

Campgrounds, overnight subject to the provisions of [Article XVII, Section 17.9](#).

Campgrounds, seasonal subject to the provisions of [Article XVII, Section 17.9](#).

Fire stations and other public buildings necessary for the protection or the servicing of a neighborhood, upon approval of the Town Board.

Golf courses, except miniature golf courses operated on a commercial basis, upon approval of the Town Board.

Public and private schools, nursery schools, institutions of higher education, including dormitory accommodations, upon approval of the Town Board.

Public and private community parks, regional parks and preserves, upon approval of the Town Board.

7.6 Lot Area and Yard Requirements

There shall be no more than two (2) principal buildings on any lot in the R1–Rural Residence District, provided, however, that there shall be no less than 30 feet between said principal buildings.

Minimum lot area shall be two (2) acres.

Minimum lot width at the front lot line shall be 250 feet. In the case of lots with frontage on a lake, minimum lot width shall be measured at the front yard setback opposite the side fronting on the lake.

Minimum lot depth shall be 250 feet.

Minimum front yard setback shall be 50 feet.

Minimum side yard setbacks shall be fifteen (15) feet, except for a corner lot fronting on two (2) public streets, where the minimum yard setback for the side yard adjacent to the street or road shall be 25 feet.

Minimum rear setback shall be 35 feet, except in the case of a lot bounding on a lake, where the minimum setback from the lake shall be 50 feet.

Maximum building height for any nonagricultural building or structure shall be 32 feet above average grade measured at the building perimeter.

Maximum lot coverage shall be five (5) percent of the lot area.

The above notwithstanding, in the case of a lot with frontage on a lake, accessory uses such as boathouses, pump houses, docks, piers, boat ramps, patios, decks and other facilities 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 the required side yard setback areas.

7.7 Buffer Areas

No buildings or other structures, or parking areas, shall be located within 50 feet from a stream edge or any wetland as defined by state or federal law.

Article VIII — R2–Moderate-Density Residence District

8.1 Purpose

The purpose of the R2–Moderate-Density Residence District is to provide for moderate-density residential development in areas served by public water and/or public sewerage. Development densities when combined with cluster residential subdivision development options have the potential for providing for attractive, quality neighborhoods while preserving important open space resources consistent with the Ulysses Comprehensive Plan and the goals of organized and logical growth, increased employment opportunities and an increased tax base.

8.2 Permitted Uses

In the R2–Moderate-Density Residence District, no building or structure shall be erected, altered or extended, and no land or building thereof shall be used for any purpose or purposes other than the following:

Agriculture.

Flag lots, subject to the standards set forth in [Article XVII, Section 17.12](#).

Single-family residences and their accessory structures.

Two-family residences provided the second dwelling is contained in the principal building and their accessory structures.

8.3 Permitted Accessory Uses

Such necessary uses as are customarily incidental to the above uses.

Bed and breakfast establishments.

Business directional signs, subject to limitations set forth in [Article XVII, Section 17.4.3](#).

Home occupations.

Elder cottages, subject to the provisions of [Article XVII, Section 17.10](#).

Family adult care.

Family child care.

Professional offices where (a) such office is part of the residence building, and (b) no more than three (3) persons not residing on the premises are employed.

Noncommercial gardens and home nurseries.

Signs as regulated under [Article XVII, Section 17.4](#); also note [Article XVII, Section 17.4.5](#).

Roadside stands, subject to provisions of [Article XVII, Section 17.17](#).

Temporary buildings as defined in [Article IV](#).

8.4 Uses Permitted by Site Plan Approval

The following uses are allowed upon approval of a site plan by the Planning Board pursuant to [Article III, Section 3.4](#), subject to the design standards set forth in relevant sections of [Article XVII](#):

Adult care centers.

Cemeteries and the buildings and structures incidental to cemetery operations.

Child care centers, group child care.

Churches, mosques, synagogues, temple and other places of worship, convents, rectories, parish houses.

Community centers.

Fraternal organizations and the clubhouse, hall, post, temple and other facilities associated with the activities of the organization, except that the on-premises sale of alcoholic beverages is prohibited.

Libraries, museums.

Life care facilities.

Nursing homes.

Residential care/assisted living/rehabilitation facilities.

8.5 Uses Allowed by Special Permit

The following uses are allowed upon approval by the Town Board pursuant to [Article III, Section 3.2](#), subject to the design standards set forth in relevant sections of [Article XVII](#):

Fire stations and other public buildings necessary for the protection or servicing of a neighborhood, upon approval of the Town Board.

Golf courses, except miniature golf courses operated on a commercial basis, upon approval of the Town Board.

Public and private schools, nursery schools, institutions of higher education, including dormitory accommodations, upon approval of the Town Board.

Public and private community parks and preserves, upon approval of the Town Board.

8.6 Lot Area and Yard Requirements

There shall be no more than one (1) principal building on any lot in the R2–Moderate-Density Residence District.

In areas where public water or sewer service is available, the minimum lot area shall be 32,000 square feet.

In areas where public water or sewer service is not available, the minimum lot area shall be one (1) acre or a size as regulated by the Tompkins County Health Department.

Minimum lot width at front lot line shall be 160 feet.

Minimum lot depth shall be 200 feet.

Minimum front yard setback shall be 50 feet.

Minimum side yard setbacks shall be fifteen (15) feet, except for a corner lot fronting on two (2) public streets, where the minimum yard setback for the side yard adjacent to the street shall be 25 feet.

Minimum rear setback shall be 35 feet.

Maximum building height for any building or structure shall be 32 feet above average grade measured at the building perimeter.

Maximum lot coverage shall be seven and one-half (7.5) percent of the lot area.

8.7 Buffer Areas

No buildings or other structures, or parking areas, shall be located within 50 feet from a stream edge or any wetland as defined by state or federal law.

Article IX — RM—Multiple-Residence District

9.1 Purpose

The purpose of the RM—Multiple-Residence District is to expand opportunities for quality and affordable rental housing in the town and to protect existing and future single- and two-family residential neighborhoods, consistent with the Ulysses Comprehensive Plan and the goals of organized and logical growth, increased employment opportunities and an increased tax base.

9.2 Establishment of District

An RM—Multiple-Residence District may be established in any R2—Moderate-Density Residence or H1—Hamlet District of the Town that is served by municipal water and shall be established by an amendment to this Zoning Law by act of the Town Board, pursuant to [Article III, Section 3.5](#).

9.3 Permitted Uses

In the RM—Multiple-Residence District, no building or structure shall be erected, altered or extended, and no land or building thereof shall be used for any purpose or purposes other than the following:

Flag lots, subject to the standards set forth in [Article XVII, Section 17.12](#).

Multiple-family residences, subject to site plan approval pursuant to [Article III, Section 3.4](#) and the standards set forth in [Article XVII, Section 17.15](#) and their accessory structures.

Single-family residences and their accessory structures.

Two-family residences and their accessory structures.

9.4 Permitted Accessory Uses

Such necessary uses as are customarily incidental to the above uses, including rental offices, storage sheds, coin-operated laundry facilities for use by residents, and refuse dumpsters, as well as the following:

Family child care.

Family adult care.

Garages provided for the use of residents only.

Signs as regulated under [Article XVII, Section 17.4](#) and also note 17.4.4.

Temporary buildings as defined in [Article IV](#).

Vehicle parking, pursuant to the provisions of [Article XVII, Section 17.3](#).

9.5 Uses Permitted by Special Permit

The following uses are allowed upon approval of a Special Permit by the Board of Zoning Appeals pursuant to [Article III, Section 3.2](#), and subject to the design standards set forth in [Article XVII](#):

Business directional signs, subject to limitations set forth in [Article XVII, Section 17.4.3](#).

Child care centers, group child care.

Community centers.

9.6 Lot Area and Yard Requirements

Minimum lot area shall be one (1) acre.

Maximum allowed density shall be one (1) dwelling for each 3,500 square feet of lot area.

Minimum lot width at front lot line shall be 160 feet.

Minimum lot depth shall be 250 feet.

Minimum front yard setback shall be 50 feet.

Minimum side yard setbacks shall be 25 feet, except that accessory structures, excluding garages, not exceeding ten (10) feet in height, may be placed not less than ten (10) feet from a side lot line.

Minimum rear yard setback shall be 25 feet, except that accessory structures, excluding garages not exceeding ten (10) feet in height, may be placed not less than ten (10) feet from a rear lot line.

Maximum building height for any building or structure shall be 32 feet above average grade measured at the building perimeter.

Maximum lot coverage by buildings, parking areas, driveways, walkways and other impervious surfaces shall not exceed 50 percent of total parcel area.

9.7 Buffer Areas

No buildings or other structures, or parking areas, shall be located within 50 feet from a stream edge or any wetland as defined by state or federal law.

Article X — MHP—Manufactured Home Park District

10.1 Purpose

The purpose of the MHP—Manufactured Home Park District is to expand opportunities for quality and affordable housing in the town and to protect existing and future single- and two-family residential neighborhoods, consistent with the Ulysses Comprehensive Plan and the goals of organized and logical growth, increased employment opportunities and an increased tax base.

10.2 Permitted Uses

In the MHP—Manufactured Home Park District, no building or structure shall be erected, altered or extended, and no land or building thereof shall be used for any purpose or purposes other than the following:

Campground, seasonal subject to the provisions of [Article XVII, Section 17.9](#).

Doublewide manufactured homes and their accessory structures.

Singlewide manufactured homes and their accessory structures.

Single-family residences and their accessory structures.

Two-family residences and their accessory structures.

10.3 Permitted Accessory Uses

Such necessary uses as are customarily incidental to the above uses, including rental offices, storage sheds, coin-operated laundry facilities for use by residents, and refuse dumpsters, as well as the following:

Family adult care.

Family child care.

Garages provided for the use of residents only.

Signs as regulated under [Article XVII, Section 17.4](#); also note [Article XVII, Section 17.4.4](#).

Storage sheds for the use of residents of individual lots, provided that said shed is shown on an approved site plan.

Self-service storage facilities, provided solely for the use of park residents, and provided that said facilities are shown on an approved site plan.

Temporary buildings as defined in [Article IV](#).

Vehicle parking, pursuant to the provisions of [Article XVII, Section 17.3](#).

10.4 Uses Permitted by Special Permit

The following uses are allowed upon approval of a Special Permit by the Board of Zoning Appeals pursuant to [Article III, Section 3.2](#), subject to the design standards set forth in [Article XVII](#):

Business directional signs, subject to limitations set forth in [Article XVII, Section 17.4.3](#).

Child care centers, group child care.

Community centers.

10.5 Lot Area and Yard Requirements

Minimum lot area shall be one (1) acre.

Maximum allowed density shall be one (1) dwelling for each 6,000 square feet of lot area.

Minimum lot width at front lot line shall be 160 feet.

Minimum lot depth shall be 250 feet.

Minimum front yard setback shall be 50 feet.

Minimum side yard setbacks shall be 25 feet, except that accessory structures, excluding garages, not exceeding ten (10) feet in height, may be placed not less than ten (10) feet from a side lot line.

Minimum rear yard setback shall be 25 feet, except that accessory structures, excluding garages not exceeding ten (10) feet in height, may be placed not less than ten (10) feet from a rear lot line.

Maximum building height for any building or structure shall be 32 feet above average grade measured at the building perimeter.

Maximum lot coverage by buildings, parking areas, driveways, walkways and other impervious surfaces shall not exceed 50 percent of total parcel area.

10.6 Buffer Areas

No buildings or other structures, or parking areas, shall be located within 50 feet from a stream edge or any wetland as defined by state or federal law.

Article XI — H1–Hamlet District

11.1 Purpose

The purpose of the H1–Hamlet District is to provide opportunities for village- and hamlet-scale residential and small-scale, pedestrian-oriented, commercial development to serve the varied needs of local residents, to encourage redevelopment of the Town’s hamlets, and to provide the Town with the ability to assert reasonable controls over such development consistent with the Ulysses Comprehensive Plan and the goals of organized and logical growth, increased employment opportunities and an increased tax base.

11.2 Permitted Uses

In the H1–Hamlet District, no building or structure shall be erected, altered or extended, and no land or building thereof shall be used for any purpose or purposes other than the following:

Single-family residence and their accessory structures.

Two-family residence and their accessory structures.

11.3 Permitted Accessory Uses

Such necessary uses as are customarily incidental to the above uses:

Accessory building for business.

Bed and breakfast establishments.

Business directional signs, subject to limitations set forth in [Article XVII, Section 17.4.3](#).

Elder cottages, subject to the provisions of [Article XVII, Section 17.10](#).

Family child care.

Family adult care.

Home occupations.

Off-street loading areas.

Professional offices, where (a) such office is part of the residence property, and (b) no more than three (3) persons not residing on the premises are employed.

Signs as regulated under [Article XVII, Section 17.4](#); also note [Article XVII, Section 17.4.6](#).

Temporary buildings as defined in [Article IV](#).

Vehicle parking, pursuant to the provisions of [Article XVII, Section 17.3](#).

11.4 Uses Permitted by Site Plan Approval

The following uses are allowed upon approval of a site plan by the Planning Board pursuant to [Article III, Section 3.4](#), subject to the design standards set forth in relevant sections of [Article XVII](#):

Adult care centers.

Adult group care.

Banks and other financial institutions, provided that there is no more than one (1) drive-through window.

Business offices.

Child care centers, group child care.

Community centers.

Fire stations and other public buildings necessary for the protection or servicing of a neighborhood.

Funeral homes.

Multiple residences for rent or lease.

Professional offices.

Public and private community parks and preserves.

Residential care/assisted living/rehabilitation facilities.

11.5 Uses Permitted by Special Permit

The following uses are allowed upon approval of a Special Permit by the Board of Zoning Appeals pursuant to [Article III, Section 3.2](#), subject to the design standards set forth in [Article XVII](#):

Churches, mosques, synagogues, temples and other places of worship, convents, rectories, parish houses.

Flag lots for the purpose of residential uses only and subject to the standards set forth in [Article XVII, Section 17.12](#).

Fraternal organizations and their clubhouse, hall, post, temple and other facilities associated with the activities of the organization, except that the on-premises sale of alcoholic beverages is prohibited.

Gasoline and other retail vehicle fuel sales, subject to the standards set forth in [Article XVII, Section 17.13](#).

Hotel, motel.

Libraries, museums.

Life care facilities.

Outdoor dining facilities, excluding any permanent structures within any required setback areas.

Places of amusement such as theatres, including drive-in theatres; bowling alleys, game arcades, and skating rinks.

Public and private schools, nursery schools and institutions of higher education, including dormitory accommodations.

Restaurants, bars and other places for serving food and beverages.

Retail services such as barber shops or hairdressers; decorators, dressmakers or tailors; opticians; photographers; film developing, printing, photocopying and digital imaging; video, DVD and other electronic visual and audio entertainment media rentals; and businesses of a similar and no more intense nature.

Retail stores, provided the establishment does not exceed 3,000 gross square feet in floor area, with the exception of basement storage areas, and operates only between the hours of 6:00 A.M. and 11:00 P.M.

11.6 Lot Area and Yard Requirements

There shall be no more than one principal building on any lot in the H1–Hamlet District.

Minimum lot area shall be 6,000 square feet.

Minimum lot width at front lot line setback shall be 50 feet.

Minimum lot depth shall be 120 feet.

Minimum front yard setback shall be ten (10) feet for all single and two-family residences, bed and breakfast establishments and adult- and child-care facilities, and zero (0) feet for all other uses.

Minimum side yard setback shall be five (5) feet, except in the instance where two (2) or more single-family dwellings are attached with a common wall, or two (2) or more commercial structures are attached with a common wall, in which case the setback may be zero (0) feet. Where a lot does not have frontage on a rear or side public or private alley, however, there shall be at least fifteen (15) feet of side yard setback on one side to allow for a driveway.

Minimum rear yard setback shall be 35 feet, except for detached garages and other accessory structures or parking lots, in which case the minimum setback shall be five (5) feet.

Maximum building height for any building or structure shall be 32 feet above average grade measured at the building perimeter.

Maximum lot coverage shall be 75 percent of the lot area.

11.7 Buffer Areas

No buildings or other structures, or parking areas, shall be located within 50 feet from a stream edge or any wetland as defined by state or federal law.

Article XII — H2–Hamlet Residential District

12.1 Purpose

The purpose of a Hamlet Residence (H2) District is to provide opportunities for village- and hamlet-scale residential development to serve the varied housing needs of the residents while preserving the historical nature of the Town. This district encourages the redevelopment of the Town's hamlets while providing the Town and the residents of the district with the ability to assert reasonable controls over development in the designated district that is consistent with: the comprehensive plan, the historic nature of the district, and organized and logical growth.

12.2 Permitted Uses

In the Hamlet Residence District, no building or structure shall be erected, altered or extended, and no land or building thereof shall be used for any purpose or purposes other than the following:

Single-family residences and their accessory structures.

Two-family residences in the same dwelling and their accessory structures.

12.3 Permitted Accessory Uses

Such necessary uses as are customarily incidental to the above uses.

Accessory building for residential use.

Bed and breakfast establishments.

Elder cottages, subject to the provisions of Article XVII, Section 17.10.

Family child care.

Family adult care.

Home occupations

Professional offices where: 1) such office is part of the residence building, and 2) no more than three persons not residing on the premises are employed.

Signs as regulated under Article XVII, Section 17.4.5.

Temporary building as defined in Article IV.

Vehicle parking, pursuant to the provisions of Article XVII, Section 17.3.

12.4 Uses Permitted by Special Permit

The following uses are allowed upon approval of a Special Permit by the Board of Zoning Appeals pursuant to Article III, Section 3.2, subject to the standards set forth in Article XVII:

Business directional signs, subject to limitations set forth in Article XVII, Section 17.4.3

Church, mosque, synagogue, temple or other place of worship, convent, rectory, parish houses.

Community center.

Flag Lots for residential use only and subject to the standards set forth in Article XVII, Section 17.12.

Library, museum.

Multiple residences for lease or rent, pursuant to Article IX

Nursery school.

Public and private community parks and preserves.

Residential care/assisted living/rehabilitation facilities

12.5 Lot Area and Yard Requirements

There shall be no more than one principal building on any lot.

Minimum lot area shall be 21,780 square feet (1/2 acre).

Minimum lot width at front yard setback shall be 50 feet.

Minimum lot depth shall be 175 feet.

Minimum front yard setback shall be 10 feet.

Minimum side yard setback shall be 5 feet

Minimum rear yard setback shall be 35 feet, except for detached garages and other accessory structures, in which case the minimum setback shall be 5 feet.

Maximum building height for any building or structure shall be 32 feet above average grade measured at the building perimeter.

Maximum lot coverage shall be 75 percent of the lot area.

Article XIII — B1–Business District

13.1 Purpose

The purpose of the B1–Business District is to provide opportunities for neighborhood-scale retail commercial development in appropriate locations in the Town of Ulysses to serve the needs of local residents, and to provide the Town with the ability to assert reasonable controls over commercial development consistent with the Ulysses Comprehensive Plan and the goals of organized and logical growth, increased employment opportunities and an increased tax base.

13.2 Permitted Uses

In the B1–Business District, no building or structure shall be erected, altered or extended, and no land or building thereof shall be used for any purpose or purposes other than the following, upon receipt of site plan approval from the Planning Board, pursuant to the provisions of [Article III, Section 3.4](#):

Adult care centers.

Business directional signs, subject to limitations set forth in [Article XVII, Section 17.4.3](#).

Business and professional offices.

Banks and other financial institutions.

Boarding house.

Child care centers, group child care centers.

Communication transmission towers and telecommunications facilities, subject to the provisions of [Article XIX](#).

Community centers.

Conference centers.

Dry cleaners.

Fire stations and other public buildings necessary for the protection or servicing of a neighborhood.

Fraternal organizations and their clubhouse, hall, post, temple and other facilities associated with the activities of the organization.

Funeral homes.

Gasoline and other retail vehicle fuel sales, subject to the standards set forth in [Article XVII, Section 17.13](#).

Health clubs.

Hospitals.

Hotels.

Marinas.

Places of amusement such as theatres, including drive-in theatres; bowling alleys, game arcades, miniature golf courses and skating rinks.

Private schools, nursery schools, institutions of higher learning including dormitories.

Restaurants, bars and other places for serving food and beverages.

Retail lumber and building-supply centers.

Retail services such as barber shops or hairdressers; decorators, dressmakers or tailors; opticians; photographers; film developing, printing, photocopying and digital imaging; video, DVD and other electronic visual and audio entertainment media rentals; and businesses of a similar and no more intense nature.

Retail stores, provided the establishment does not exceed 12,000 gross square feet in floor area, with the exception of basement storage areas, and operates only between the hours of 6 A.M. and 11 P.M.

Self-service storage facilities, subject to the standards set forth in [Article XVII, Section 17.19](#).

13.3 Permitted Accessory Uses

In the B1-Business District, no building or structure shall be erected, altered, or extended, and no land or building thereof shall be used for any purpose other than the following, upon receipt of site plan approval from the Planning Board, pursuant to the provisions of Article III, Section 3.4

Accessory buildings.

Off-street loading areas.

Temporary buildings, as defined in [Article IV](#).

Signs as regulated under [Article XVII, Section 17.4](#) and also note 17.4.5.

Vehicle parking, pursuant to the provisions of [Article XVI, Section 17.3](#).

13.4 Uses Permitted by Special Permit

The following uses are allowed within the B1-Business District upon receipt of approval for a Special Permit by the Board of Zoning Appeals, per [Article III, Section 3.2](#), upon receipt of approval for site plan approval from the Planning Board, pursuant to the provisions of Article III, Section 3.4:

Any establishment ordinarily operating between the hours of 11:00 P.M. and 6:00 A.M.

Drive-through restaurants.

Multiple dwellings and their accessory structures.

One and two family dwellings and their accessory structures.

Vehicle and boat sales, rentals, service, auto body and repair shops.

13.5 Lot Area and Yard Requirements

Minimum lot area: None.

Minimum lot width at front lot line: None.

Minimum lot depth: None.

Minimum front yard setback shall be 30 feet.

Minimum side yard setbacks shall be fifteen (15) feet or as required by the New York State Fire Prevention Code, whichever is greater.

Minimum rear setback shall be fifteen (15) feet.

Maximum building height for any building or structure shall be 32 feet above average grade measured at the building perimeter.

Maximum lot coverage by all buildings, structures and impervious surfaces shall be 70 percent of the lot area.

No parking shall be allowed within the required front yard setback.

No outdoor display of products shall be allowed within the front yard setback.

13.6 Buffer Areas

Wherever a B1–Business District abuts an R1–Rural Residence District, R2–Moderate-Density Residence District, RM–Multiple-Residence District, H2–Hamlet Residential District, or H1–Hamlet District, there shall be in addition to the required side yard and rear yard a vegetated buffer area of not less than 35 feet. No building or structure, parking or outside storage of any kind shall be allowed within this buffer area.

No buildings or other structures, or parking areas, shall be located within 100 feet from a stream or any wetland as defined by state or federal law. With the exception of stream crossings, no roadways shall be located within 50 feet from a stream or any wetland as defined by state or federal law. Streams are required to have a stream protection setback as defined in [Article XVII, Section 17.6](#).

All buffer area plantings shall be subject to the requirements of [Article XVII, Section 17.6](#).

13.7 Building Permits

No building permit shall be issued for a building or structure within a B1–Business District unless the proposed building or structure is in accordance with an approved site plan, except as provided for in Article III, Section 3.4.10.

Article XIV — IL—Light Industry District

14.1 Purpose

The purpose of the IL—Light Industry District is to provide for employment, support local entrepreneurs and stimulate local economic development by providing areas where light industrial, service, research and development enterprises can locate. This district also sets standards for locating and developing such land uses in a manner that does not adversely affect adjacent residential areas, the overall character of the town or the environment.

14.2 Permitted Uses

In the IL—Light Industry District, no building or structure shall be erected, altered or extended, and no land or building thereof shall be used for any purpose or purposes other than the following, upon receipt of Site Plan approval pursuant to [Article III, Section 3.4](#):

Adult entertainment businesses, subject to the standards set forth in [Article XVII, Section 17.7](#).

Agricultural commerce.

Business directional signs, subject to limitations set forth in [Article XVII, Section 17.4.3](#).

Business and professional offices.

Communication transmission towers and telecommunications facilities, subject to the provisions of [Article XIX](#).

Extractive industry, subject to the provisions of [Article XVII, Section 17.11](#).

Light industry.

Off-premises signs, subject to the provisions of [Article XVII, Section 17.4.2](#).

Research and development enterprises.

Large- and small-scale sawmills, subject to the provisions of [Article XVII, Section 17.18](#).

Self-service storage facilities, subject to the standards set forth in [Article XVII, Section 17.19](#).

Warehouses.

Wholesale distribution centers.

14.3 Permitted Accessory Uses

In the IL-Light Industrial District, no building or structure shall be erected, altered, or extended, and no land or building thereof shall be used for any purpose other than the following, upon receipt of site plan approval from the Planning Board, pursuant to the provisions of Article III, Section 3.4

Accessory buildings.

Child care centers, group child care.

Indoor and outdoor dining facilities, except that such facilities shall be for the exclusive use of employees or their guests.

Off-street loading areas.

Signs as regulated under [Article XVII, Section 17.4](#); also note [Article XVII, Section 17.4.5](#).

Temporary buildings as defined in [Article IV](#).

Vehicle parking, pursuant to the provisions of [Article XVII, Section 17.3](#).

14.4 Uses by Special Permit

The following uses are allowed upon approval of a Special Permit by the Board of Zoning Appeals pursuant to Article III, Section 3.2 and upon receipt of site plan approval from the Planning Board, pursuant to the provisions of Article III, Section 3.4

subject to the standards set forth in [Article XVII](#):

Auto body and repair shops.

14.5 Lot Area and Yard Requirements

Minimum lot area : None.

Minimum lot width at front lot line: None.

Minimum lot depth: None.

Minimum front yard setback shall be 50 feet in the case of a public road right-of-way. In cases where the lot or parcel fronts on a private interior street or road, the minimum front yard setback shall be 80 feet from the centerline of said street or road.

Minimum side yard setbacks shall be 25 feet.

Minimum rear setback shall be 35 feet.

Maximum building height for any building or structure shall be 32 feet above average grade measured at the building perimeter.

Maximum lot coverage by all buildings, structures and impervious surfaces shall be 50 percent of the lot area.

14.6 Buffer Areas

Wherever an IL–Light Industry District abuts an R1–Rural Residence District, R2–Moderate-Density Residence District, RM–Multiple-Residence District or H1–Hamlet District, there shall be in addition to the required side yard and rear yard a vegetated buffer area of not less than fifty (50) feet. No building or structure, parking or outside storage of any kind shall be allowed within this buffer area. All buffer area plantings shall be subject to the requirements of Article XVI, Section 16.6.

No buildings or other structures, or parking areas, shall be located within 100 feet from a stream or any wetland as defined by state or federal law. Streams are required to have a stream protection setback as defined in Article XVII, Section 17.6.

14.7 Building Permits

No building permit shall be issued for a building or structure within an IL–Light Industrial District unless the proposed building or structure is in accordance with an approved site plan, except as provided for in [Article III, Section 3.4.10](#).

Article XV — PR–Park/Recreation District

15.1 Purpose

The purpose of the PR–Park/Recreation District is to protect those natural areas and scenic and recreational resources within the Town of Ulysses that contribute to the high quality of life and economic vitality of the Town.

15.2 Permitted Uses

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

Agriculture.

Communication transmission towers and telecommunications facilities, subject to the provisions of [Article XIX](#).

15.3 Permitted Accessory Uses

In the PR-Park/Recreational District, no building or structure other than a single family residence or an accessory building for a single family residence shall be erected, altered, or extended, and no land or building thereof shall be used for any purpose other than the following, upon receipt of site plan approval from the Planning Board, pursuant to the provisions of Article III, Section 3.4

Accessory buildings.

Single-family residence and their accessory structures.

Seasonal roadside stand, subject to provisions of [Article XVII, Section 17.17](#).

Signs as regulated under [Article XVII, Section 17.4](#).

Temporary buildings and structures used for office, sales, storage and fabrication activities related to the development of a site, provided that such building or structure may not be continued for more than one (1) year except upon receipt of a Special Permit.

Vehicle parking, pursuant to the provisions of [Article XVII, Section 17.3](#).

15.4 Uses Permitted by Special Permit

The following uses are allowed within the PR-Park/Recreational District upon approval of a Special Permit by the Board of Zoning Appeals pursuant to Article III, Section 3.2, upon receipt of site plan approval from the Planning Board pursuant to Article III, Section 3.4, and subject to the design standards set forth in relevant sections of Article XVII:

Business directional signs, subject to limitations set forth in [Article XVII, Section 17.4.3](#)

Campgrounds and group campgrounds, subject to the provisions of [Article XVII, Section 17.9](#).

Cemeteries and the buildings and structures incidental to cemetery operations.

Golf courses, except miniature golf courses operated on a commercial basis.

Nature centers.

Public and private community parks, regional parks and preserves.

Commercial stables, subject to the provisions of [Article XVII, Section 17.20](#).

15.5 Lot Area and Yard Requirements

Minimum lot area shall be two (2) acres.

Minimum lot width at front lot line shall be 250 feet. In the case of lots with frontage on a lake, minimum lot width shall be measured at the front yard setback opposite the side fronting on the lake.

Minimum lot depth shall be 250 feet.

Minimum front yard setback shall be 50 feet.

Minimum side yard setbacks shall be 15 feet.

Minimum rear setback shall be 35 feet.

Maximum building height shall be 40 feet.

Maximum lot coverage shall be five (5) percent of the lot area.

The above notwithstanding, in the case of a lot with frontage on a lake, accessory uses such as boathouses, pump houses, docks, piers, boat ramps, patios, decks and other facilities 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 the required side yard setback areas.

15.6 Buffer Areas

No buildings or other structures, or parking areas, shall be located within 100 feet from a stream edge or any wetland as defined by state or federal law.

Article XVI — Development Districts

16.1 Purpose

The purpose of the Development District is to give flexibility to the Zoning Law in order to accommodate such developments which would be beneficial to the community, but which are not now permitted in any established zoning district. These developments must not be contrary to the Ulysses Comprehensive Plan or the Zoning Law.

16.2 Establishment

Any Development District established after the adoption of this Zoning Law shall be established in accordance with the procedures set forth in [Article III, Section 3.5](#).

16.3 Existing Development Districts

NOTE: The following Development Districts were established prior to the adoption of this Zoning Law and shall remain in effect as set forth below.

16.3.1 Development District No. 1: Spruce Row Campgrounds

(Formerly Development District No. 1, as amended October 8, 1991)

16.3.1(a) Allowed Uses

The purpose for which the district may be used are as follows:

1. Campsites.
2. Living accommodations for campers shall be either tents, or movable Recreational Vehicles built with the intent to be campers. Recreational Vehicles shall be defined as a vehicle that can be moved on the highway without a special permit from the New York D.O.T. (therefore no wider than 8 ft.) as per our law per date of this writing. The two existing Park Models (over 8 ft. wide) will remain but not be replaced.
3. The campgrounds shall be open for the season camping annually from May 1 through October 15. Off-season no more than 20 percent occupancy at any given time for temporary camping (85 units). Length of stay no more than seven (7) consecutive days during off-season. (This is designed to accommodate such recreational activities as hunting, fishing, skiing, etc.)

16.3.1(b) District Area and Boundaries

The area of said district shall be approximately 83 acres plus 2.5 acres to include the house and pond. (Note Map #1, on file in Town Clerks Office.) The house is to be treated under the normal conformity of a residential district.

The district boundaries are as follows: All that tract or parcel of land situated in the Town of Ulysses, County of Tompkins and State of New York, being part of Military Lot 16 in said Town and bounded and described as follows:

BEGINNING at a point in the center line of Kraft Road approximately 2,643 feet from the west line of Military Lot 16; thence south parallel to the west line of Military Lot 16 approximately 2,061 feet to the south line of Military Lot 16; thence west along the said south line of Military Lot 16 approximately 2,643 feet to the west side of said Military Lot 16 (being the east line of military lot 15); thence north along the west line of Military Lot 16 approximately 1,188 feet to a point; thence northeasterly along a hedgerow and woodlot about 528 feet; thence southeasterly along the said hedgerow and woodlot about 462 feet; continuing in a southeasterly direction along the said hedgerow about 792 feet to a second hedgerow which runs north and south; thence north along said second hedgerow about 792 feet to a third hedgerow which runs east and west; thence west and parallel to Kraft Road approximately 88 feet to a point; thence north and perpendicular to Kraft road approximately 351 feet to center line of Kraft Road; thence east along center line of Kraft Road 1,034 feet to the point of beginning.

The number of campsites in the district is not to be more than 425 sites. There shall be a minimum of 2,500 square feet per campsite as directed by New York State and Tompkins County Health Department rules.

16.3.1(c) Specifications for Campsites

1. East of the driveway (to the left as entering the campgrounds) campsite numbers 1–9, 11, 20, 21 and 20A are to remain as they are, no closer than 275 feet from the center line of Kraft Road; natural vegetation to remain as it is today; campsites to remain as the are on the map; no new campsites are to be added within the area.
2. Parking: Two-hour temporary parking north of the hedgerow (labeled as Hedgerow #1 on the map) for patrons and their guests.
3. The six (6) temporary hookups to the south of this hedgerow; three (3) locations, two in each location, shall be no closer than 275 feet from Kraft Road; they are for temporary overflow and no further camping in this area is allowed. The buffer area created by this hedgerow shall remain, and the plants shall be encouraged to grow.
4. Each campsite shall have a designated area for a campfire and shall be located, cleared and protected in accordance with recommendations of the Trumansburg Fire Chief.

16.3.1(d) Sewage and Garbage Disposal

1. Sewage and garbage disposal shall meet all requirements of the Tompkins County Health Department.
2. Rodent-tight refuse containers shall be provided so that there shall be a minimum of one container for every four campsites.
3. There shall be absolutely no dumping of any type of refuse whatsoever in Willow Creek.
4. Garbage shall be picked up at least twice per week during the months of June, July and August, and at least once per week during the remainder of the season.

16.3.1(e) Sewage and Garbage Disposal

1. Drinking water shall be provided and conform to the standards of the Tompkins County Health Department.
2. There shall be no bathing in Willow Creek.

16.3.1(f) Maintenance

The entire district shall be kept free and clear of all litter and be maintained in a neat and orderly manner.

16.3.1(g) Signs

One namesake sign or bulletin board not exceeding eighteen (18) square feet is allowed. Said sign shall not be self-illuminating and the bottom of said sign shall not be more than five (5) feet from the ground.

16.3.1(h) Commercial Sales

1. There shall be no commercial sales in this district except the sale of firewood, charcoal or other fuel to be used for camping purposes, and an inventory of miscellaneous and sundry items for the accommodation and use of campers and their guests.
2. There shall be no commercial sales of camping vehicles at Spruce Row Campgrounds.

16.3.1(i) Storage

Storage of recreation vehicles and boats on trailers is allowed, with the provision that no more than 60 percent of the campsites (255) can be used for storage, one unit per campsite and ten units stored at a location to be designated by the property owner. In-season storage shall be limited to the campsites themselves or the area designated for storage on the overall map.

16.3.1(j) Buffers

All natural buffers are to remain, and in addition:

1. From the current driveway, east, approximately 40 feet from the centerline of the road in line with the current tree line, a hedge (indicated as Hedgerow #2 on the map) of evergreens is to be established, using a minimum spacing of 6 feet, with the minimum size of trees to be planted of 4 feet and with the hedgerow to be two rows of trees deep. If any trees die, they are to be replaced.
2. The hedge by the dumping station is to be interplanted with evergreens trees and shrubs from the entrance road to the west boundary. The purpose is to create a dense visual barrier to hide vehicles and activities and to provide privacy for regular users and campers as well as neighbors. Minimum size of plants at planting shall be 4 feet.
3. All natural cover on the remaining boundaries shall remain, and natural growth of said hedgerows shall be encouraged.

16.3.1(k) Mobile Home

One mobile home, larger than 750 square feet, shall be permitted in the Development District, in the location of the southwest corner of the barn, 100 feet west, 200 feet south, back 300 feet east, 200 feet northwest to the corner of the barn. The mobile home will be skirted and the hedgerow that now exists shall remain as screening.

16.3.2 Development District No. 2: Podunk Ski Shop

(Formerly Development District No. 5, created June 15, 1976)

16.3.2(a) Allowed Uses

The purposes for which the district may be used are as follows:

Ski retail and rental shop

Sauna

Hostel/lodge

16.3.2(b) District Area and Boundaries

1. Located at the southeasterly corner of Cold Springs Road and Podunk Road and being all of Tax Parcel Nos. 21-1-1 and 21-1-1.1 as shown on the Tompkins County Tax Map.
2. Located on west side of Podunk Road opposite Cold Spring Road and being all of Tax Parcel No. 22-5-2 as shown on the Tompkins County Tax Map.

16.3.2(c) District Specifications

No district specifications are listed as part of this Development District.

16.3.3 Development District No. 3: Bar/Restaurant/Trailers

(Formerly Development District No. 7, created May 8, 1979)

16.3.3(a) Allowed Uses

The purposes for which this district may be used are as follows:

1. Bar and restaurant;
2. Maintenance of mobile home adjacent to the existing bar and restaurant;
3. Maintenance of a second mobile home adjacent to Halseyville Road, for so long as said mobile home may be occupied by Howard and Anna Brown, or the survivor of them;
4. No other mobile home shall be established or occupied within this District.

16.3.3(b) District Area and Boundaries

The area of said District shall be approximately fourteen (14) acres, triangular in general shape, bounded on the east by State Highway Route 96, on the west by Halseyville Road, and on the south by premises formerly of Strong, later of Stover, bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Ulysses, Tompkins County, new York and being part of Military Lots #8 and #14 in said Town more particularly bounded and described as follows:

BEGINNING at a point in the center line of Halseyville-Enfield Road at the southwest corner of lands now or formerly of Robert Dean Murphy and also the northwest corner of premises conveyed to Edmund Pearsall by deed of Isaac Ball and wife dated February 28, 1868 and recorded in the Tompkins County Clerk's Office in Liber 3 of Ulysses Deeds at page 132; running thence south (S 3 West) along the center line of said Halseyville-Enfield Road (also the westerly line of Lots #8 and #14) twenty chains and forty-nine links (20.49 chs.) to a point (also the southwest corner of said Ball-Pearsall parcel); running thence N 77E, nine chains and ninety-nine links (9.99 chs.) (previous deeds described said course as being "along the north side of the Road," which road is now nonexistent); thence continuing along said same course in a straight line to the center of the Ithaca-Trumansburg State Highway at or near the intersection of said highway and the line between Military Lot #8 on the north and #14 on the south (the last course is straightened in accordance with the Ball-Pearsall deed

above mentioned, which reads: “It is understood and agreed that the fence on the southwest side of the turnpike shall be straightened and correspond with a straight line...”); running thence northwesterly along the center of said Ithaca-Trumansburg State Highway about twenty chains to the southeast corner of lands now or formerly of Robert Dean Murphy; running thence westerly along Murphy’s south line to the point or place of beginning.

16.3.3(c) District Specifications

1. At such time as Howard and Anna Brown, or the survivor of them, shall no longer occupy the second mobile home permitted by [Article XVI, Section 16.3.3\(a\)\(3\)](#) above, one of the mobile homes shall be immediately removed from the District, and shall not be replaced; thereafter only a single mobile home shall be permitted therein.
2. Sewage and garbage disposal shall meet all requirements of the Tompkins County Health Department.
3. The entire district shall be kept free and clear of all litter and maintained in a neat and orderly manner and landscaped in keeping with the surrounding area.
4. Off-street parking shall be provided adjacent to all structures as specified in [Article XVII, Section 17.3](#).
5. Signs may be erected or affixed as specified in [Article XVII, Section 17.4](#).

16.3.4 Development District No. 4: Stover Saw Mill

(Formerly Development District No. 8, created October 14, 1980)

16.3.4(a) Allowed Uses

The purposes for which this district may be used are as follows:

1. Operation of a sawmill in an existing 30' x 144' structure, with planing and treating sheds, for the processing and sale of forestry products such as milled lumber, treated posts, firewood and wood by-products such as sawdust and slab wood.
2. Retail sale of agricultural fertilizers, lime, chemicals and seed, and mixing and custom-application of agricultural fertilizers, lime and chemicals.
3. Retail sale of small motorized agricultural equipment to farmers; this does not include lawn mowers, garden tillers, chainsaws and other lawn and garden equipment and supplies.
4. Retail sale of Farm Bureau tires and batteries for agricultural equipment.
5. The construction of a farm shop and agricultural sales and service building approximately 48' x 96' to house a portion of the activities above described, on the north side of Gorge Road.
6. The construction of a sawdust-containment building approximately 30' x 30' on the south side of Gorge Road.
7. The construction of a sizing building approximately 30' x 50' on the south side of Gorge Road.
8. The construction of a treating shed approximately 40' x 125' on the south side of Gorge Road.

9. Construction of a fertilizer- and chemicals-mixing building approximately 40' x 100' on the south side of Gorge Road
10. The construction of a truck scale shelter approximately 25' x 50' on the south side of Gorge Road.
11. All structures shall be located at least 75 feet from the highway right-of-way.
12. Creation of this Development District, or the specification herein of permitted uses, does not limit the continuing permitted use of farming, i.e., for the general agricultural purposes of livestock and crop production and sales.
13. The construction of any other buildings within the Development District hereinafter described shall be considered an additional and further use for which an application shall be made to the Town Board pursuant to [Article III, Section 3.5](#).

16.3.4(b) District Area and Boundaries

The area of said District shall be approximately 38 acres, on both the northerly and southerly sides of Gorge Road, bounded and described as follows:

BEGINNING at a point in the center of Taughannock Falls Road (Gorge Road), said point of beginning being 441.3 feet southwesterly along the center of said road from its intersection with the north line of Military Lot #9, thence north 68 degrees, 22' west (passing through a pipe in the northwesterly line of said road) along an old fence, 303.4 feet to a point marked by an iron pipe; thence south 62 degrees, 8' west. 797.8 feet to a point in an old fence and hedgerow; thence south 11 degrees, 32' east 1,137 feet crossing Gorge Road to a pipe in the north line of the former Lehigh Valley Railroad right-of-way (New York State Electric and Gas right-of-way); then running south 72 degrees 10' east along said right-of-way approximately 1,243 feet to a point marked by a pipe; then running northwesterly approximately 904 feet to a point marked by a pipe; then running northeasterly approximately 575 feet to a point marked by a pipe on the south bank of the stream near a large honey locust tree; then running northwesterly approximately 700 feet along the hedgerow passing through a point marked by a pipe at the end of the hedgerow to the center of Gorge Road; then running southeasterly along Gorge Road approximately 100 feet to the point of beginning.

16.3.4(c) District Specifications

1. No access road or driveway shall enter the public highway within 75 feet from the intersection of the highway and a boundary of the District.
2. No saw logs, lumber or wood by-products shall be placed within 75 feet of any boundary of the District or any highway.
3. Evergreen trees 4 to 5 feet in height shall be planted in two rows, alternately spaced, at intervals of 20 feet along that portion of the western boundary of the District southerly from the Gorge Road to the New York State Electric and Gas right-of-way, in order to provide both a visual screen and sound barrier for the existing building housing the saw mill.
4. An electric motor for the new sawmill shall replace the present power source and be located to the east of the sawmill; this new power source shall be operational within three (3) months or as soon thereafter as New York State Electric and Gas Corp. can provide the necessary electrical service.

5. Until the aforesaid electric motor shall be in operation, a temporary sound barrier shall be erected to the west of the present sawmill in accordance with specifications of the Extension Safety Engineer, Department of Agricultural Engineering, Cornell University.
6. No sawing of logs shall take place on Sundays or holidays, or on weekdays except between the hours of 7:00 A.M. and 7:00 P.M.
7. Any agricultural chemicals or chemicals for the preservative treatment of lumber shall be stored, used and disposed of in accordance with applicable federal, state and local regulations so that there shall be no discharge of hazardous chemicals to the environment and no broadcast of offensive odors.
8. There shall be no outside storage or display of farm machinery and equipment offered for retail sale.
9. The entire district shall be kept free and clear of all litter and maintained in a neat and orderly manner.
10. Off-street parking shall be provided adjacent to all buildings housing retail sales as specified in [Article XVII, Section 17.3](#).

16.3.4(d) Signs

Two (2) signs not exceeding 18 square feet in area per sign, referring to the use of the premises, are authorized. These signs shall not be self-illuminating and the bottom of said signs shall not be more than five (5) feet from the ground.

16.3.5 Development District No. 5: Automobile Business — David Kline

(Formerly Development District No. 9, created February 14, 1984, amended May 31, 1984, October 10, 1989, June 19, 1997, and October 1, 1998)

16.3.5(a) Allowed Uses

The purposes for which the district may be used are as follows:

1. Automotive and truck repairs, including all types of mechanical, body and interior work.
2. New York State motor vehicle inspections.
3. Retail sales of automotive and truck parts, both new and used, and automotive-related items such as paint, oil, tires, rims, tools, gas cans, jacks, etc.
4. Retail sales of new and used vehicles, including exterior display of vehicles for sale.
5. The construction of an addition to the existing garage on the premises approximately 24' x 42' for a retail store and storage space.
6. A custom cabinet, furniture and woodworking shop and related accessory sales uses per amendment adopted October 1, 1998.
7. The construction of any other buildings within the Development District hereinafter described shall be considered an additional and further use for which an application shall be made to the Town Board pursuant to Article III, Section 3.6.

16.3.5(b) District Area and Boundaries

The area of said district shall be 1,750 feet along the west side of State Highway Route 96, with a depth of 500 feet, bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Ulysses, Tompkins County, New York and being part of Military Lots #8 and #14 in said Town more particularly bounded and described as follows:

BEGINNING at a point in the southwesterly line of New York State Route 96 (Ithaca-Trumansburg Turnpike); said point being North 35 degrees -14'-02" West 1,120.59 feet and South 03 degrees -46'34" West 78.64 feet from a point which is from the intersection of the centerline of New York State Route 96 and the centerline of Cold Springs Road; thence South 03 degrees -46'-35" West 207.29 feet to an iron pin, thence North 85 degrees -54'-43" West a distance of approximately 560 feet more or less along lands now or formerly owned by Van Woert (470/365) to a point; thence North 35 degrees -14' 02" West a distance of 1,750 feet more or less on a straight line parallel with New York State Route 96 (Ithaca-Trumansburg Turnpike) to an iron pin; thence South 86 degrees -20'-02" East a distance of 716.09 feet to an iron pin on the Southwesterly side of said New York State Route 96.

16.3.5(c) District Specifications

Vehicles for sale shall not be parked or displayed closer than 75 feet from the paved edge of the highway, and shall be confined to an area within the Development District, measured along State Highway Route 96, no longer than 500 feet from the southernmost and northernmost vehicle so displayed.

All inoperative motor vehicles or vehicles under repair, parts and bulk supplies shall be kept within an enclosed structure; there shall be no outside storage or display of any parts, supplies, or materials.

The entire district shall be kept free and clear of all litter and maintained in a neat and orderly manner.

Off-street parking shall be provided adjacent to all structures as specified in [Article XVII, Section 17.3](#).

Signs may be erected or affixed as specified in [Article XVII, Section 17.4](#).

The provisions of [Article XVII, Section 17.13](#) shall apply to this Development District.

16.3.6 Development District No. 6: Koskinen Auto Repair

(Formerly Development District No. 10, created May 31, 1984, and January 30, 2003)

16.3.6(a) Allowed Uses

The purposes for which the district may be used are as follows:

1. Automotive and truck repairs, including all types of mechanical, body and interior work.
2. New York State motor vehicle inspections.
3. Retail sales of automotive and truck parts, both new and used, and automotive-related items such as paint, oil, tires, rims, tools, gas cans, jacks, etc.
4. Existing residential and agricultural uses.
5. Development District No. 6 was modified to allow a 30' x 48' foot addition on January 30, 2003.

6. The construction of any other buildings within the development district shall be considered an additional and further use, for which an application must be made to the Town Board pursuant to [Article III, Section 3.5](#).

16.3.6(b) District Area and Boundaries

BEGINNING at a point in the westerly line of the Podunk Road, and in the southerly line of the premises of Richard Stilwell (Tax Map Parcel 22-5-3); running thence westerly along Stilwell's south line a distance of 300 feet to a point; running thence southerly parallel with the Podunk Road a distance of 535 feet to a point; running thence easterly and perpendicular to the Podunk Road a distance of 175 feet to a point; running thence southerly parallel with the Podunk Road a distance of 200 feet to a point; running thence southeasterly a distance of approximately 130 feet to a point in the westerly highway line, running thence in a northerly direction along the western edge of the Podunk Road a distance of approximately 830 feet to the place of beginning. Together with a rectangular area with a depth of 500 feet and frontage of 600 feet on the easterly side of Podunk Road, across from the parcel above described, in the northwest corner of Tax Map Parcel 21-1-13.

16.3.6(c) District Specifications

All inoperative motor vehicles or vehicles under repair, parts and bulk supplies shall be kept within an enclosed structure; there shall be no outside storage or display of any parts, supplies or materials.

The entire district shall be kept free and clear of all litter and maintained in a neat and orderly manner.

Off-street parking shall be provided adjacent to all structures as specified in [Article XVII, Section 17.3](#).

Signs may be erected or affixed as specified in [Article XVII, Section 17.4](#).

The provisions of [Article XVII, Section 17.13](#) shall apply to this Development District.

16.3.7 Development District No. 7: Finger Lakes–Seneca Cooperative Insurance Company

(Formerly Development District No. 18, created August 16, 1988)

16.3.7(a) Allowed Uses

The purposes for which the district may be used are as follows:

Professional office building.

16.3.7(b) District Area and Boundaries

BEGINNING at an iron pin set in or near the westerly street line of Mecklenburg Road (New York State Route 227), which pin is set North 86 degrees 27 minutes 2 seconds West a distance of 94.92 feet from a point in the centerline of Mecklenburg Road, which said point is northeasterly a distance of 749.1+/- feet from its intersection with the centerline of Mayo Road; running thence North 86 degrees 27 minutes 22 seconds West along a hedgerow, a distance of 345.38 feet to an iron pin, running thence North 5 degrees 34 minutes 57 seconds East along a hedge row, a distance of 805.61 feet to an iron pin set in the southerly line of lands now or formerly of Douglas J. Austic and Paula K. Austic, which line also marks the

boundary between Military Lots #11 and #5; running thence, South 83 degrees 50 minutes, 36 seconds East a distance of 560.61 feet to a point in a twelve-inch cherry tree, marking a fence corner; running thence, South 5 degrees, 16 minutes 21 seconds West along the westerly line of land now or formerly of Fred M. and Margaret Denmark, a distance of 552.48 feet to an iron pin, which pin is northwesterly a distance of 3.54 feet from an old pipe and southwesterly a distance of 28.85 feet from a concrete monument; running thence, South 48 degrees, 27 minutes, 33 seconds West, along the westerly street line of Mecklenburg Road, a distance of 320.99 feet to the iron pin marking the point and place of beginning, containing 9.667 +/- acres of land.

16.3.7(c) District Specifications

The size of the main building shall be no more than 5,500 square feet with a height of no more than 28 feet, 6 inches at its highest point as per Project #7372, dated July 1988, which is on file. The exterior of the building shall be done in cut stone and 1" x 6" cedar board.

There will be a minimum of 25 parking spaces and a maximum of 55 parking spaces. All parking except for visitor parking will be on the west side of the building. Asphalt on the parking areas will be applied within two years

The building and its use are considered a professional office building as defined in Article IV.

A storage building not more than 400 square feet in area may be erected. The exterior of this storage building shall be of the same materials as the main building. It will be landscaped and will be situated on the west side of the main building. It will be subject to the issuance of a building permit.

Signs shall conform to [Article XVII, Section 17.4](#).

Exterior building lights, sign and security lights are permitted; however, they are subject to the provisions of [Article XVII, Section 17.5](#).

The property shall be maintained in a well-groomed and mowed condition and shall be landscaped in such a manner as to be attractive to the area.

The construction of any other buildings within the development district shall be considered an additional and further use for which an application must be made to the Town Board pursuant to [Article III, Section 3.5](#).

16.3.8 Development District No. 8: Moore's Outboard Sales and Service

(Formerly Development District No. 19, created July 18, 1991)

16.3.8(a) Allowed Uses

The purposes for which the district may be used are as follows:

Sales and service of small marine motors and accessories.

16.3.8(b) District Area and Boundaries

BEGINNING at an iron pin set near the easterly road line of Dubois Road 30 feet north of centerline of creek culvert which defines the southwest border to Tax Parcel 32-2-8.2 and continuing northerly 184 feet along the centerline of Dubois Road to an iron pin along the

easterly road line of Dubois Road; then continuing 220 feet easterly and perpendicular to Dubois Road to an iron pin,; then continuing 125 feet northerly and parallel to Dubois Road to an iron pin; running thence 380 feet easterly and perpendicular to Dubois Road to an iron pin, then continuing 309 feet southerly and parallel to Dubois Road to an iron pin; and thence returning 600 feet westerly and perpendicular to Dubois Road to the iron pin marking the point and place of beginning; conveying 3.14 acres.

16.3.8(c) District Specifications

The existing building is to be used for business. No new buildings are allowed. Well and septic systems are to be installed according to Tompkins County Health Department requirements.

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.

Customer parking for up to six (6) cars will be located in front of the building. Parking lot area is to be 40' deep x 50' wide and centered in front of the building.

Storage for fifteen (15) to twenty (20) boats waiting to be picked up or serviced will be permitted on the north side of the building. Storage of ten (10) to fifteen (15) boats is permitted within the building. Up to five (5) boats may be stored outside over the winter.

A stockade fence up to six (6) feet in height shall be installed on the north side of the building along the boundary line of the Development District.

Improvements to buildings and grounds: roof to be painted, trim to be painted, area around building to be kept clean with no outside storage other than boats with or without motors and trailers.

Signs: One lighted sign with plastic face on front of the building, not to exceed three (3) feet by five (5) feet in size.

Exterior building lights, sign and security lights are permitted, subject to the provisions of [Article XVII, Section 17.5](#). One (1) 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.

Ten (10) pine trees are to be planted along the southerly boundary line of the Development District.

All existing floor drains within the building shall be core-filled with appropriate concrete material, and all existing drains exiting the building shall be removed.

Used gear lubricants and motor oils shall be stored in a 250-gallon tank, which shall be pumped when full by an authorized handler of petroleum waste material. There shall be no liquid or solid waste disposed of on the property other than that authorized by the Tompkins County Health Department.

The construction of any other buildings within the Development District shall be considered an additional and further use for which an application must be made to the Town Board pursuant to [Article III, Section 3.5](#).

16.3.9 Development District No.9: Flo-Tech

(Formerly Development District No. 21, created January 26, 2004)

16.3.9(a) Allowed Uses

The purposes for which the district may be used are as follows:

The manufacture of prosthetic devices, and all necessary activities connected therewith.

16.3.9(b) District Area and Boundaries

BEGINNING at a point where New York State Route 96 intersects Tompkins County Highway known as Halseyville Road, being the northeastern corner of said rights-of-way of each road as shown on said survey; thence north 16° 33' 40" west along the eastern boundary of NYS Route 96, a distance of 214.56' to a point; thence north 79° 26' 15" west, a distance of 303.62' to a point; thence south 16° 33' 40" east, a distance of 396.66' to a point; thence south 10° 18' 35" west, a distance of 136.28' to a point; thence south 79° 26' 15" east, a distance of 221.32' to a point on the easterly boundary of said Halseyville Road; thence north 10° 18' 35" east, along said easterly right-of-way of Halseyville Road, a distance of 298.34' to the point or place of beginning.

The above premises being three (3) acres of land.

16.3.9(c) District Specifications

In connection with said use, up to 10 full-time or full-time-equivalent employees are permitted.

The facility on site must comply with all given application criteria and receive Ulysses Planning Board Site Plan approval, to insure compliance of all of the applicant's proposals before a Building Permit shall be issued.

Any road entrance shall comply with state and county highway rules and regulations.

Any water and septic infrastructure shall comply with Tompkins County Health Department codes and receive its approval.

Article XVII — Design Standards

17.1 Purpose

The purpose of this article is to provide specific standards to be applied to the design of buildings, structures, commercial or industrial sites and other types of land uses in the Town of Ulysses, in order to promote the orderly physical development of the community, ensure the health and safety of the public, conserve the natural and cultural resources and the rural character of the community and to minimize the negative environmental impact of such development.

17.2 Environmental Performance Standards

17.2.1 Yards

All required yards in any zoning district may be either landscaped or left in a natural state. In any case, however, they shall be maintained as not to cause health or safety conditions as specified in Section 302 of the New York State Property Maintenance Code. Parking areas in all zoning districts shall also be maintained as not to cause health and/or safety conditions.

17.2.2 Noise

All events issued permits and recognized public celebrations are excluded from the noise restrictions of this law.

Noise from any source shall be muffled so as not to become objectionable due to sustained intermittence, beat, frequency, tone, pitch or intensity that repeatedly exceeds two (2) hours during daylight and thirty (30) minutes at night. Noise associated with normal property maintenance and temporary construction is exempt from this provision.

No land use or other activity that generates a sound level that exceeds the limits set forth below shall be undertaken. The level of sound shall be measured at the boundary of the property generating the sound, and shall not exceed 90 dBA between the hours of 7:00 A.M. and 11:00 P.M., and 55 dBA between the hours of 11:00 P.M. and 7:00 A.M.

For the purpose of this law, noise generated during the course of agricultural operations defined as sound agricultural practices pursuant to Article 25-AA, Section 308 of the Agricultural and Markets Law is exempt.

17.2.3 Odors

Odors from any use, except for agricultural practices as provided for in [Article V, Section 5.2](#), shall not be discernible at the property line to the extent that they are reasonably obnoxious to a surrounding inhabitant within five hundred (500) feet of the property line.

17.3 Standards for Parking in All Zoning Districts

17.3.1 Minimum Requirements for Off-Street Parking

The following requirements for parking reserve shall apply. At the time of Site Plan Review the applicant shall indicate the number of parking spaces to be improved. The minimum requirements shall be maintained open and clear to the sky. All required parking shall have all-weather surface.

Bank or other financial institution	1 space/200 square feet of gross floor area, excluding storage or mechanical equipment areas.
Beauty shop, barber shop and similar services	2 spaces/100 square feet of gross floor area, excluding storage or mechanical equipment areas
Bed and breakfast	The greater of 1 space for each sleeping room or 1 space for every 2 beds.
Bowling alley	3 spaces for each lane.
Business or professional office	The greater of 1 space/200 square feet of gross floor area, excluding storage or mechanical equipment areas, or 1 space for each employee.
Child group and family group care	1 space for each employee.
Church, mosque, synagogue, temple or other place of worship	1 space for every 4 seats.
Community center, fraternal organization, clubhouse, hunting club	1 space/200 square feet of gross floor area, excluding storage or mechanical equipment areas, plus 1 space for each employee.
Conference center	1 space for every three seats, plus 1 space for each employee.
Cottage industry	1 space for each employee plus 1 space/1,000 square feet of gross floor area, excluding storage or mechanical equipment areas.
Educational institution	3 spaces for each classroom.
Funeral home	1 space for every 5 seats.
Hospital; nursing home; residential care/ assisted living/rehabilitation facility	1 space for every 2 beds, plus 1 space for every 3 employees.
Hotel	1 space for each guest room, plus 1 space for every 3 employees.
Kennel	1 space for each employee plus 1 space for every five animal pens.

Light industry	1 space for every shift employee.
Lodge	The greater of 1 space for each sleeping room or 1 space for every 2 beds.
Research and development enterprise	1 space/200 square feet of gross floor area.
Residence, single-family	2 spaces/dwelling.
Residence, two-family	2 spaces for the first dwelling, 1 space for the second dwelling.
Residence, multiple-family	1.5 spaces/dwelling.
Residence, manufactured home	2 spaces/dwelling.
Restaurant or bar	1 space for every 4 seats.
Restaurant, drive-through	1 space for every 4 seats.
Retail printing, plumbing, welding and other similar shops	1 space/500 square feet of gross floor area.
Retail store	1 space/200 square feet of gross floor area.
Retail lumber and building materials	1 space/5,000 square feet of gross floor area plus 1 space for each employee.
Self-service storage	1 space for every 10 units or fraction thereof.
Theatre, auditorium or other place of public assembly	1 space for every 5 seats.
Warehouse or wholesale distribution facility	1 space for every 2 employees.

For any uses allowed in the B-1 Business District, H1-Hamlet District and IL-Light Industrial District there shall be one off-street loading space for each 20,000 square feet of floor area or portion thereof.

17.3.2 Parking Design Standards

Except in the case of single- and two-family dwellings, there shall be no parking allowed in any front yard, side yard or rear yard setback areas, except in established driveways.

The minimum allowable dimensions of a parking space shall be nine (9) feet wide by twenty (20) feet long. Parking spaces so designated for persons with disabilities shall include on one side a minimum of an additional four (4) feet of width in order to accommodate wheelchair lifts.

Travel aisles for vehicles within a parking lot shall be a minimum of 22 feet in width for aisles intended for two-way traffic. Where angled parking with one-way traffic circulation is proposed, the minimum aisle width shall be 13 feet if the angle of the parking spaces is forty-five (45) degrees from

the perpendicular, and 18 feet if the angle of the parking spaces is sixty (60) degrees from the perpendicular.

In an RM–Multiple-Residence District, MHP–Manufactured Home Park District, B1–Business District, H1–Hamlet District, and IL–Light Industry District where a proposed parking lot is larger than nine (9) spaces in size, there shall be planted one (1) deciduous canopy tree for every five (5) parking spaces proposed. Said trees shall be of a species with a height at maturity of at least 30 feet, of a species known to be compatible with regional climate conditions, and shall be at least 2.5 inches in diameter and four (4) feet from the ground at time of planting.

All off-street parking shall be paved, surfaced or covered with gravel so as to be well-drained, and shall be provided with necessary access drives.

All parking areas are to be maintained in a well-kept condition.

17.4 Standards for Signs

17.4.1 General

1. Unless otherwise specified in the law, no portion of any sign shall extend into the road or street right-of-way.
2. Any sign authorized by this ordinance shall be maintained in a safe condition and kept in good repair.
3. Any sign authorized by this ordinance may contain noncommercial, free-speech copy in lieu of any other copy.
4. A free standing sign less than 1 foot thick shall be considered one sign. The area limitations of such sign shall be measured on one side of the sign. Advertising as permitted may be on both sides.
5. If a sign consists of independently detachable letters or symbols, the area of the sign shall be determined by measuring the area within a rectangle enclosing all such letters or symbols as they are intended to be installed.
6. In all districts, neither free-standing signs nor signs applied to buildings shall be placed in a manner that puts the top edge of the sign or sign structure more than fifteen (15) feet above the average ground elevation along the length of the sign, including any sign mast. The following Sections limit this height further in some Districts.
7. In measuring the area limitation of advertising letters or symbols placed on building surfaces, or other permitted surfaces, the area shall be defined as the one least rectangle that will enclose all parts of the advertising letters or symbols.
8. Where advertising letters or symbols are placed on an awning or similar structure attached to a building, that structure is considered to be a sign. Its use and area are limited as other signs attached to a building facade.

17.4.2 Sign Illumination and Internally Illuminated Signs

1. In this Section the term “Illuminated Sign” applies to both signs that are illuminated by external light sources and those with internal illumination.
2. Any sign that is illuminated from any light source other than an internal light source shall be illuminated by a fully shielded light source or sources, designed and placed in a manner that:

- a. restricts the area of illumination to the sign face;
 - b. directs light only in a downward manner; and
 - c. precludes the casting of any glare or light from said source beyond the sign face in any upward direction, horizontally to the side of, or to the rear of the sign structure.
3. No light shall be cast upward beyond a horizontal plane level with the light source, or onto any adjoining property.
 4. An illuminated sign or lighting device shall not be placed or located as to permit the beams and illumination to be directed or beamed upon a public street, highway, sidewalk or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.
 5. Any illuminated sign or sign-lighting device shall employ only lights emitting a light of constant intensity and no sign shall be illuminated by or contain flashing, intermittent, rotating or moving light or lights.
 6. Illuminated Signs must be turned off at 11:00 PM, except at places of entertainment where they may remain on until 12:00 PM.

17.4.3 Signs in Any District

In addition to the types of signs specifically listed in this Section (17.4), the following signs are permitted in any zoning district:

1. Any sign required by law;
2. Official signs required by a governmental agency or utility, provided such sign does not exceed twenty-four (24) square feet in area;
3. Temporary signs with a surface area not to exceed 9 square feet, posted by, or with the permission of, the owner of the property on which the sign is located;
4. One (1) sign advertising for the sale, hire or lease of only the land or buildings on the lot or parcel on which the sign is located, provided such sign does not exceed nine (9) square feet in area;
5. One (1) temporary sign denoting the responsible architect, engineer and general contractor placed on the premises where construction, repair or renovations are in progress, provided such sign does not exceed nine (9) square feet in area;
6. One (1) temporary sign for advertising the sale or rental of services or goods on the premises, not to exceed nine (9) square feet in area and for a period of time not to exceed two (2) weeks in a two (2)-month period.

17.4.4 Business Directional Signs

In any zoning district where business directional signs are allowed:

1. There shall be no more than two (2) such signs within the Town for any one parcel occupied by a business or businesses; additional businesses on the same parcel may not place additional signs.
2. No business directional sign shall exceed six (6) square feet per side in area, nor exceed six (6) feet in height at the top of the sign.
3. No business directional sign shall be placed less than 500 feet from the intersection at which prospective customers are being directed to turn off the road or highway along which said sign is located.

4. All business directional signs shall be designed and constructed to conform to New York State Department of Transportation specifications, including specifications related to breakaway sign posts.

17.4.5 Signs in R1, R2, RM, and MHP Districts

In an R1–Rural Residence District, R2–Moderate-Density Residence District, RM–Multiple-Residence District, or MHP–Manufactured Home Park, no sign or advertising device is allowed except the following:

1. One (1) sign on the property where a home occupation, office of a resident doctor, dentist, musician, engineer, teacher, lawyer, architect, landscape architect, artist, real estate broker or person engaged in similar occupation, or family child care business or bed and breakfast establishment is located, provided that such sign does not exceed nine (9) square feet in area;
2. One freestanding sign and one sign on a building façade, each not to exceed nine (9) square feet in area, indicating the presence of a:
 - a. apartment complex or multiple-residence development;
 - b. child care center or group child care center;
 - c. church, mosque, synagogue, temple or other place of worship, convent, rectory, parish house;
 - d. community center;
 - e. fire station or other public building necessary for the protection or servicing of a neighborhood;
 - f. fraternal organization and the clubhouse, hall, post, temple and other facility associated with the activities of the organization;
 - g. golf course;
 - h. group adult care;
 - i. hospital;
 - j. library, museum;
 - k. life care facility;
 - l. manufactured home park;
 - m. nursing home;
 - n. public and private school, nursery school, or institution of higher education;
 - o. public and private parks or preserves; or
 - p. residential care/assisted living/rehabilitation facility.
3. No more than two (2) signs advertising the sale of locally produced farm products at a roadside farm stand, each not to exceed twelve (12) square feet in area.

17.4.6 Signs in A1, B1 and IL Districts

In the A1–Agricultural, B1–Business and IL–Light Industry Districts no sign or advertising device is allowed except the following:

1. Signs used to advertise or call attention to a place, business, person, event, product or service offered on the premises, either freestanding or attached to the façade of a building.
2. For retail businesses not in a shopping center, no more than two (2) signs, not to exceed twenty-four (24) square feet each if freestanding. If more than one (1) sign is attached to the building façade, the cumulative square footage of all signs shall not exceed forty-eight (48) square feet.

3. For retail businesses in a shopping center, no more than one (1) sign, not to exceed 40 square feet if attached to a building façade.
4. For a sign that identifies a shopping center or plaza, and its tenants, no more than one (1) two-sided sign, not to exceed 120 square feet on a side, not more than fifteen (15) feet high located at the entrance to the shopping center.
5. For gasoline stations, no more than three (3) freestanding or affixed to the building signs, one of which shall not exceed 24 square feet in area, including all areas necessary to display gasoline and other fuel prices, and two of which shall not exceed ten (10) square feet in area each. Signs required by state and federal law are exempt.
6. For printing, welding, plumbing, and similar enterprises, automobile, appliance and machinery sales and service, hotels, commercial indoor recreation, no more than one (1) freestanding sign not to exceed 24 square feet in area. In addition, no more than one (1) sign on a building façade not to exceed 64 square feet shall be permitted.
7. For the following uses, no more than one (1) freestanding sign not to exceed 24 square feet and no more than one (1) sign on a building façade not to exceed 24 square feet shall be permitted:
 - a. Agricultural commerce
 - b. Campground
 - c. Conference center
 - d. Light industrial enterprise
 - e. Research and development enterprise
 - f. Sawmill
 - g. Self-service storage facility
 - h. Warehouse
 - i. Wholesale distribution center
8. No more than two (2) signs advertising the sale of locally produced farm products at a roadside farm stand, each not to exceed twelve (12) square feet in area.
9. No more than two (2) signs identifying a camp club or outdoor recreation facility, including a lodge or hunting club where allowed, each not to exceed nine (9) square feet in area.

17.4.7 Signs in the H1 District

In the H1–Hamlet District no sign or advertising device is allowed except the following:

1. One (1) sign on the property where a home occupation, office of a resident doctor, dentist, musician, engineer, teacher, lawyer, architect, landscape architect, artist, real estate broker or person engaged in similar occupation, or family child care business, or bed and breakfast is located, provided that such sign does not exceed nine (9) square feet in area.
2. One (1) freestanding sign not to exceed twelve (12) square feet in area, indicating the presence of a:
 - a. apartment complex or multiple-residence development;
 - b. bank or other financial institution, or business office;
 - c. child care center, group child care center, adult care or group adult care;
 - d. cemetery, church, mosque, synagogue, temple or other place of worship, convent, rectory, parish house;
 - e. community center;

- f. fire station and other public building necessary for the protection or servicing of a neighborhood;
 - g. fraternal organization and the clubhouse, hall, post, temple or other facility associated with the activities of the organization;
 - h. funeral home;
 - i. gasoline and retail vehicle fuel sales;
 - j. library, museum;
 - k. life care facility;
 - l. nursing home;
 - m. place of amusement;
 - n. public or private school, nursery school, or institution of higher education;
 - o. public or private park and preserve;
 - p. residential care/assisted living facility/rehabilitation facility;
 - q. restaurant, tavern, bar or other food establishment; or
 - r. retail service establishment and retail store.
3. One (1) sign mounted on a façade of a building, not to exceed 24 square feet, or not to exceed 32 square feet if the sign is in the lintel:
- a. bank or other financial institution;
 - b. business office;
 - c. gasoline and retail vehicle fuel sales;
 - d. library;
 - e. museum;
 - f. nursing home;
 - g. place of amusement;
 - h. public or private park or preserve;
 - i. restaurant, bar or other food establishment; or
 - j. retail service establishment and retail store.

17.4.8 Nonconforming Signs

Any sign in existence at the time of adoption of this Zoning Law shall be brought into conformance with this law when the sign is physically modified, reconstructed or replaced.

17.5 Standards for Outdoor Lighting

Appropriately regulated and properly installed outdoor lighting will contribute to the safety and welfare of the residents of the Town.

This section is intended to assist property owners in their efforts to provide a safe and secure environment, control energy costs and keep unnecessary direct light from shining onto abutting properties or streets. It is also intended to reduce the problems of glare, minimize light trespass, and help reduce the energy and financial costs of outdoor lighting by establishing regulations which limit the area that certain kinds of outdoor lighting fixtures can illuminate and by limiting the total allowable illumination of lots located in the Town of Ulysses.

In order to assure that walkways, parking lots and other outdoor areas accessible to the general public are safely illuminated at night, the following minimum standards for outdoor lighting levels shall be adhered to. These outdoor lighting levels are the minimum levels that are generally considered adequate for the designated areas. Individual site lighting requirements can vary considerably,

however, and property owners are ultimately responsible for ensuring that adequate illumination of outdoor areas is provided.

Minimum Required Outdoor Lighting Levels for Development Subject to Site Plan Approval or Special Permit in RM, MHP, B1, H1, and IL Districts		
Area	Foot-candles (fc)	Lux (lx)
Walkways	0.5	5
Parking areas: Regional shopping centers, fast-food facilities, convenience stores, retail gasoline sales.	0.9	10
Parking areas: Retail stores or shopping centers open before 8:00 A.M. or after 5:30 P.M., office parks, hospital parking lots, cultural, recreational or civic complexes, and parking areas for apartment complexes.	0.6	11
Retail stores or shopping centers open after 8:00 A.M. and closing at or before 5:30 P.M., employee parking areas for industrial development, schools and other educational facilities; churches and other places of worship; and other public areas where there is generally very little nighttime activity.	0.2	5

Any lights used to illuminate the exterior of a single-family, two-family, multiple family, dormitory or other group residence, or manufactured home park, or a commercial, industrial, or other nonresidential space or parcel, including buildings, signs and other structures, parking and pedestrian areas and landscaping, shall be designed and installed such that:

1. any luminaire with a lamp or lamps rated at a total of more than 1800 lumens, and any flood or spot luminaire with a lamp or lamps rated at a total of more than 900 lumens, shall not emit any direct light above a horizontal plane through the lowest direct light-emitting part of the luminaire;
2. any luminaire with a lamp or lamps rated at a total of more than 1800 lumens, and any flood or spot luminaire with a lamp or lamps rated at a total of more than 900 lumens, shall be mounted at a height equal to or less than the value $3 + (D/3)$, where D is the distance in feet to the nearest property boundary;
3. the maximum height of the luminaire may not exceed 25 feet.

Exceptions to the above shall be:

1. any luminaire with a lamp or lamps rated at a total of 1800 lumens or less, and any flood or spot luminaire with a lamp or lamps rated at 900 lumens or less, may be used without restriction as to light distribution or mounting height, except that if any spot or flood luminaire rated 900 lumens or less is aimed, directed or focused such as to cause direct light from the luminaire to be directed toward residential buildings on adjacent or nearby land, or

to create glare perceptible to persons operating motor vehicles on public ways, the luminaire shall be redirected or its light output controlled as necessary to eliminate such conditions;

2. luminaires used for public roadway illumination may be installed at a maximum height of 25 feet and may be positioned at that height up to the edge of any bordering property.

In the case of outdoor lighting designed primarily to provide security for buildings and outdoor areas, the Illuminating Engineering Society of North America (IESNA) recommends that there be a minimum of 0.5 fc (5 lx) of illumination in large open areas and along perimeter fences, and 0.5 fc (5 lx) on the façades of buildings.

17.6 Standards for Vegetated Buffer Areas

17.6.1 Visual Screening Buffer

Wherever a vegetated screening buffer area is required by this law, said buffer area shall be planted and maintained with vegetation that results in a visual barrier that is at least six (6) feet in height from ground level within 3 to 5 years. All vegetated buffers shall be maintained.

Vegetation within any required buffer area may consist of maintained lawn, shrubs or trees. Plants selected for use in any required buffer areas should be species that are hardy to the Finger Lakes region and that are noninvasive. Shrubs when planted may be 2 to 4 feet in height and must achieve 6 feet in height within 3 to 5 years. Trees shall be 6 feet in height when planted.

At the discretion of the Planning Board, a fence may be substituted for vegetation to achieve the required six (6) foot high visual screen, provided, however, that:

1. the width of the buffer area is not reduced below the minimum required by this ordinance;
2. the remaining portions of the buffer area shall be planted and maintained with vegetation.

In the case of new construction within a B1–Business District or IL–Light Industry District, such a visual barrier shall be planted or built prior to the issuance of any Certificate of Zoning Compliance by the Code Enforcement Officer.

17.6.2 Stream Protection Setback

Healthy stream sides that are vegetated with native woody trees and shrub plants provide flood reduction, erosion control, groundwater filtration, surface water quality improvement, and wildlife habitat. Therefore commercial parcels and properties and all properties in environmental overlay districts that are being considered for new development or building upgrades and that encompass or adjoin a stream or creek are required to maintain and protect the existing vegetated streamside habitat (i.e. setbacks) during and after construction, or restore the vegetation through plantings in those habitats where such vegetation has been removed.

U.S. Geological Survey topographical maps will be used to classify impermanent and permanent streams. Impermanent, also known as seasonal, streams require a minimum of twenty-five (25) feet of setback on each side of the stream, extending from the stream bank toward the uplands. Permanent streams are required to have a minimum fifty (50) feet of buffer on each side of the stream, extending from the stream bank toward the upland.

Vegetation in stream protection setbacks will consist of native tree and shrub species, tolerant of the conditions of flooding and soil saturation which are typical of such habitats, and generally designated as Obligative Wetland, Facultative, Facultative Wetland, or Facultative Upland Species in the U.S. Fish and Wildlife Service's 1996 National List of Vascular Plant Species that Occur in Wetlands (www.nwi.fws.gov/bha/list96.html). This design includes approximately twenty (20) feet of undisturbed mature forest directly adjacent to the bank, a middle zone fifteen (15) feet wide of actively growing forest with periodic thinning, and a third zone approximately fifteen (15) feet wide planted in warm-season grasses. Larger setbacks with wider zones are encouraged to provide greater stream protection.

17.7 Standards for Adult Entertainment Businesses

Numerous studies have shown that the presence of adult entertainment businesses can have serious, objectionable secondary effects on the general health, safety and economic well-being of the community. Such documented secondary effects may include an increase in the rate of crime, the loss of customers of neighboring commercial establishments, a decline in the value of surrounding properties, the deterioration of surrounding properties and the onset of blight in surrounding commercial and residential areas.

The purpose of this section is to:

1. eliminate or to the extent possible mitigate the negative secondary effects of adult entertainment uses in the Town of Ulysses;
2. provide for these uses within the town, but in areas where they will have a lesser negative effect on the community; and
3. utilize the least intrusive method of controlling the negative secondary effects of adult entertainment businesses.

Any building in which an adult entertainment business is conducted shall be located at least 200 feet from the boundary of an A1–Agricultural District, R1–Rural Residence District, R2–Moderate-Density Residence District, RM–Multiple-Residence District, MHP–Manufactured Home District, H1–Hamlet District, H2 – Hamlet Residential District, or B1–Business District.

Any building in which an adult entertainment business is conducted shall be located at least 500 feet from any child care center, group child care center, church, mosque, synagogue, temple or other place of worship, community center or any preschool, nursery school, public park, elementary, middle or high school.

Advertisements, displays, or other promotional materials for adult entertainment businesses shall not be shown or exhibited so as to be visible to the public from any street, sidewalk, or other public place. Permitted signs shall only display the name of the establishment and hours of operation.

All building openings, entries, exits or windows for adult entertainment facilities shall be located, covered, or screened in such a manner as to prevent a view into the interior from any street, sidewalk or other public place.

In the case of an adult drive-in motion picture theatre, viewing screens shall be situated and screened so as to prevent observation from any street or adjoining property.

17.8 Standards for Animals in Residential Areas

The keeping of horses, ponies, cows, poultry or other farm animals is permitted in the R1–Rural Residence District and R2–Moderate-Density Residence District residential districts only if:

1. The land on which they are kept shall be a least one-half (½) acre in size for each horse, pony, cow, or other farm animal or bird unit of 50 birds, or hutch of 50 rabbits. The above designated land shall be in addition to the minimum lot.
2. The building or enclosure in which they are sheltered shall be kept in good repair and be located no closer than 200 feet from any residence not located on the same parcel of land.
3. The building or enclosure shall be cleaned frequently of waste materials and all manure generated disposed of in a manner that eliminates pollution problems such as odors, dust, leaching and water runoff.
4. No pastures or buildings where animals are kept shall be located within 100 feet from a stream edge or any wetland as defined by state or federal law.
5. When poultry or other birds are allowed open range they shall be confined to the property by a bird-tight fence.

No building or enclosure for animals shall be permitted in the required front yard of any parcel.

17.9 Standards for Campgrounds

17.9.1 Campgrounds, Seasonal

The maximum density of campsites within a campground shall be no more than ten (10) per acre, based on the total area of the parcel.

No campsite shall be closer than 275 feet from the right-of-way of a public road or highway.

To ensure adequate vehicular stacking room during peak campground entry and exit periods, the length of the entry drive or roadway to the campground shall be designed in a manner that ensures a distance of at least 200 feet between the public road or highway right-of-way line and point of registration. In addition, parking for a minimum of five (5) recreational vehicles or vehicle/trailer combinations shall be constructed to serve the registration building structure. Each parking space shall be designed to accommodate a recreational vehicle or vehicle/trailer combination of forty (40) feet in length.

All roads within the campground shall be at least twelve (12) feet wide for one-way traffic and 20 feet wide for two-way traffic, constructed with an all-weather surface material, and properly marked with appropriate directional and traffic safety signage.

Each campsite shall be numbered and shall have a minimum width of thirty (30) feet and a minimum depth of fifty (50) feet.

No campsites, buildings, tents, structures, or parking areas shall be located within one hundred (100) feet of a stream edge or any wetland as defined by state or federal law. With the exception of stream crossings, no roadways shall be located within fifty (50) feet from a stream edge or any wetland as defined by state or federal law.

Each campsite shall have a designated area for a campfire and shall be located, cleared and maintained in accordance with recommendations of the Trumansburg Fire Department Chief.

No more than two (2) motor vehicles shall be parked at or be registered at a campsite at any time.

Parking for campground patrons and guests shall be provided in a location or locations conveniently accessible to the campsites, at a rate of one (1) parking space for each ten (10) campsites.

Where the campground property fronts a public road or highway, within the required yard area at least 50 percent of the length of the frontage on said public road or highway shall be planted and maintained with vegetated buffer per the requirements of [Article XVII, Section 17.6](#).

Any camping unit for sale must be placed on a campsite. There shall be no other commercial sales except for the sale of firewood, charcoal or other fuel to be used for camping purposes, and an inventory of miscellaneous and sundry items for the accommodation and use of campers and their guests.

Storage of camping vehicles, campers, motor homes and boats on trailers is allowed; however, units in storage can occupy no more than 60 percent of all campsites. The storage of more than one (1) camper, motor home, recreational vehicle, or boat on trailer at any campsite is prohibited.

Provisions for water supplies, sewage disposal and garbage disposal shall meet all the requirements of the Tompkins County Health Department.

Wildlife and rodent-proof refuse containers shall be provided so that there shall be a minimum of one container for every four (4) campsites.

Garbage shall be picked up at least twice per week during the months of June, July and August, and at least once per week during all other times when the campground is operating.

The campground shall be kept free and clear of all litter and maintained in a neat and orderly manner. The owner shall be responsible for the maintenance of all campground facilities, including areas designated as open space, streets, landscaping, sewage disposal and water supply systems, and solid waste collection.

17.9.2 Campgrounds, Overnight

The maximum density of campsites within a campground shall be no more than ten (10) per acre, based on the total area of the parcel.

No campsite shall be closer than 275 feet from the right-of-way of a public road or highway.

All roads within the campground shall be at least twelve (12) feet wide for one-way traffic and 20 feet wide for two-way traffic, constructed with an all-weather surface material, and properly marked with appropriate directional and traffic safety signage.

Each campsite shall be numbered and shall have a minimum width of thirty (30) feet and a minimum depth of fifty (50) feet.

No campsites, buildings, tents, structures, or parking areas shall be located within one hundred (100) feet of a stream edge or any wetland as defined by state or federal law. With the exception of stream

crossings, no roadways shall be located within fifty (50) feet from a stream edge or any wetland as defined by state or federal law.

Each campsite shall have a designated area for a campfire and shall be located, cleared and maintained in accordance with recommendations of the Trumansburg Fire Department Chief.

No more than two (2) motor vehicles shall be parked at or be registered at a campsite at any time.

Parking for campground patrons and guests shall be provided in a location or locations conveniently accessible to the campsites, at a rate of one (1) parking space for each ten (10) campsites.

Where the campground property fronts a public road or highway, within the required yard area at least 50 percent of the length of the frontage on said public road or highway shall be planted and maintained with vegetated buffer per the requirements of [Article XVII, Section 17.6](#).

Any camping unit for sale must be placed on a campsite. There shall be no other commercial sales except for the sale of firewood, charcoal or other fuel to be used for camping purposes, and an inventory of miscellaneous and sundry items for the accommodation and use of campers and their guests.

Provisions for water supplies, sewage disposal and garbage disposal shall meet all the requirements of the Tompkins County Health Department.

Wildlife and rodent-proof refuse containers shall be provided so that there shall be a minimum of one container for every four (4) campsites.

Garbage shall be picked up at least twice per week during the months of June, July and August, and at least once per week during all other times when the campground is operating.

The campground shall be kept free and clear of all litter and maintained in a neat and orderly manner. The owner shall be responsible for the maintenance of all campground facilities, including areas designated as open space, streets, landscaping, sewage disposal and water supply systems, and solid waste collection.

17.10 Standards for Elder Cottage Housing

The following standards shall apply to elder cottage housing:

At least one (1) of the occupants of the elder cottage shall be a person at least 55 years of age related by blood, marriage or adoption to an occupant of the principal dwelling on the lot where the elder cottage is situated.

The names of the occupants of the elder cottage shall be enumerated on the Special Permit application filed with the Town of Ulysses, and no other person or persons may occupy said elder cottage.

Any elder cottage shall be designed and constructed in a manner that would allow easy removal from the premises. It shall be placed on a foundation designed and constructed in a manner that would allow easy removal of said foundation and restoration of the site to its original use and appearance upon removal of the elder cottage.

At least one (1) parking space shall be provided for the elder cottage.

Adequate water and sewerage disposal arrangements shall be provided for the elder cottages. These arrangements may include connections to such facilities of the existing principal residence, or may be separate.

Any elder cottage placed on a lot shall be considered an accessory structure and shall be clearly subordinate to the principal residence on the lot.

Placement of any elder cottage shall be in accordance with the lot area and yard requirements of the zoning district within which it is located.

No elder cottage shall exceed one (1) story in height.

The elder cottage shall be removed from the property within 120 days of being vacated by the occupant or occupants, and the location shall be restored to its prior state.

17.11 Standards for Extractive Industry

Extraction operations shall meet all development and performance standards of this Ordinance and of all applicable local, state and federal regulations. These standards shall apply to any activities in the Town of Ulysses defined as extractive industry in [Article IV](#) where more than five hundred (500) tons or three hundred and fifty (350) cubic yards, whichever is less, of a mineral(s) are removed from the earth during twelve (12) successive calendar months.

The applicant shall submit information that includes, at a minimum:

1. a survey of the entire property on which the mining activity is proposed showing topography, the locations of all streams, wetland and other bodies of water and existing vegetation;
2. a site plan showing the lands to be mined, all proposed buildings or structures, equipment maintenance, parking or storage areas, access roadways and all required buffer areas and visual barriers;
3. a proposed mining plan, including information on type of deposit (e.g., glacial, etc.), name of mineral (sand, gravel, clay, etc.) proposed to be mined, type of mining operations (surface, unconsolidated, etc.), proposed mining method, proposed mining sequences and directions, proposed grades and slopes, location and elevation of mine floor, and disposition of stockpiles and waste materials;
4. the proposed pollution-control measures to address potential air pollution (dust), noise pollution or water pollution (water-borne sediments);
5. a reclamation plan that, at a minimum, shall clearly show how the site will be restored to either:
 - a. a condition similar to or compatible with that which existed prior to any mining, or
 - b. some other productive use of the land, such as forests, pasture, crops, wildlife area, etc.,
or
 - c. suitable land for subsequent development or construction; and shall include an estimated cost of site reclamation upon the cessation of mining operations;
6. information on the width, bearing capacity and type of road surface of all Town of Ulysses roads proposed to be used by truck traffic to or from the site and the nearest county or state highway, and the weight of the vehicles using the facility;

7. any other information deemed reasonable and necessary by the Planning Board in its consideration of site plan approval.

The applicant's mining and reclamation plans shall describe the mining method as designated by the applicant on the basis of current or anticipated mining practices, and the reclamation method, having as its objective the preparation of the affected land for a future productive use. The proposed method of mine operating and the method of reclaiming the affected land to achieve the applicant's land-use objective shall be compatible with sound environmental management practices.

An analysis by the applicant shall indicate if any improvements to Town and county roads may be necessary.

Zoning district setback requirements notwithstanding, any excavation or quarry wall, and any equipment used for rock, gravel, soil or mineral-crushing or other processing, shall be located a minimum of two hundred and fifty (250) feet from any property boundary line or public road or highway right-of-way.

Except for ingress and egress roadways, no roadways within the site shall be closer than two hundred (200) feet from a property line.

No accessory buildings or structures, or equipment maintenance, parking or storage areas, shall be closer than one hundred (100) feet from any public road or highway right-of-way, or other property boundary.

A vegetated earthen or rock berm with a crest at least eight (8) feet above any adjacent public road or highway, and with a side slope not exceeding a rise of one (1) foot for each two and one-half (2.5) feet of horizontal distance, shall be constructed and maintained prior to commencement of mining production or sale activities.

No mining activities, buildings, structures, parking areas, equipment or production storage areas shall be located within one hundred (100) feet from a stream or any wetland as defined by state or federal law.

A visual screen at least forty (40) feet in width and composed of evergreen trees shall be planted along any site boundary line that abuts one (1) or more residential lots. All evergreen trees shall be at least eight (8) feet in height at time of planting and be spaced so as to form an opaque vegetative screen. The owner shall be responsible for maintaining this vegetation buffer.

Truck access to any excavation shall be so arranged as to minimize danger to traffic and nuisance to surrounding properties. At a minimum, there shall be 500 feet of sight distance at the entrance to the facility.

Access roads into and out of the site shall meet the Town of Ulysses specifications for road base.

All ingress and egress points into the site shall be secured from unauthorized access or trespass.

Prior to the commencement of operations the applicant shall (1) deposit with the Town Clerk a certified check in an amount set by the Planning Board to cover the full cost of reclaiming the site, or (2) file with the Town Clerk a performance bond to cover the full cost of the required reclamation. Any such bond shall comply with the requirements of Section 274-a of the Town Law and, further, shall be satisfactory to the Town Board and Town Attorney as to form, sufficiency, manner of execution and surety.

17.12 Standards for Flag Lots

Flag lots as defined in [Article IV, Section 4.2](#), shall meet the minimum lot area excluding the pole, lot width, and lot depth requirements of the zoning district within which it is located. The pole of the flag lot shall have a minimum width of 50 feet at every point.

The front lot line of a flag lot shall be that line parallel to or approximately parallel to and nearest to a public highway right-of-way or private road as determined by the Code Enforcement Officer.

In areas where agriculture is the predominant land use, flag lots should be located on the least productive agricultural lands, and be configured so as to minimize interference with the agricultural use of the lands.

All driveways serving flag lots that are in excess of 200 feet in length shall be a minimum of twelve (12) feet in width and be constructed with a sub-base comprised of at least twelve (12) inches of crushed limestone or crushed bank-run gravel 12 feet wide.

Whenever practicable, adjoining flag lots should be platted in a manner that encourages shared driveway access points along public roads and highways.

17.13 Standards for Public Garages, Gasoline Sales Stations and Body Shops

No part of any public garage shall be used for residence or sleeping.

No part of any building used as a public garage or gasoline sales station and no filling pump, lift or other service appliance shall be erected within two hundred (200) feet of any R1–Rural Residential, R2–Moderate-Density Residential, RM–Multiple-Residence, MHP–Manufactured Home District, or A1–Agricultural District.

No gasoline or oil pump, no oiling or greasing mechanism and no other service appliance installed in connection with any gasoline sales station or public garage shall be within fifty (50) feet of any street right-of-way.

No garage for painting or repairing automobile bodies involving hammering or other work causing loud or unusual noise, fumes or odors shall be located within three hundred (300) feet of any R1–Rural Residential, R2–Moderate-Density Residential, RM–Multiple-Residence or MHP–Manufactured Home District.

The general elevation of the vehicle-servicing area shall not be raised higher than two (2) feet from the surrounding properties.

17.14 Standards for Manufactured Home Parks

No parking facilities or driveways, except driveways for the purpose of ingress to or egress from the premises, shall be allowed within any of the front, side or rear yard setback areas.

All interior roads within the manufactured home park shall be paved with blacktop, concrete or other solid material, shall be a minimum of 20 feet wide with a six (6)-foot wide shoulder constructed of an all-weather surface material on each side, and shall be properly drained.

All lots within the manufactured housing park shall be improved for use by independent manufactured homes, including the provision of adequate and safe water supply, sewage disposal, solid waste disposal and other utility systems.

Underground installation of the utility distribution and service lines is required except where it is infeasible due to site-specific conditions, as determined by a qualified engineer.

All manufactured home park maintenance, storage areas or facilities, and sewage treatment facilities shall be screened from all dwelling lots, internal streets, and public roads or highways by manmade screens or natural plant materials.

A minimum of ten (10) percent of the gross park area or 1,000 square feet per dwelling unit, whichever is larger, shall be provided for outdoor recreation. This recreation space shall be suitable for outdoor recreational activity and shall be easily accessible to all units.

No manufactured home shall be located closer than 30 feet from another manufactured home, or closer than 40 feet from the centerline of any interior park road.

No manufactured home shall be located less than 50 feet from any front, side or rear yard line of the lot or parcel.

No manufactured home shall be located less than 50 feet from any maintenance, storage areas or facilities, and sewage treatment facilities if present.

There shall be a vegetated buffer, not less than 20 feet in width, within any yard area not fronting on a public road or highway, planted and maintained in accordance with [Article XVII, Section 17.6](#).

Where the property fronts on a public road or highway, within the required yard area at least 50 percent of the length of the frontage on said public road or highway shall be planted and maintained with a vegetative screen.

No manufactured homes or other structures, or parking areas, shall be located within 50 feet of a stream edge or any wetland as defined by state or federal law. With the exception of stream crossings, no roadways shall be located within 50 feet horizontal distance from a stream edge or any wetland as defined by state or federal law.

The manufactured housing park owner shall be responsible for the maintenance of all park facilities, including areas designated as open space, recreation areas, landscaping, streets, privately owned sewage disposal and water supply systems, and solid-waste collection and storage facilities.

All manufactured home tow bars and hitches which are designed to be removable at the time of installation shall be removed in accordance with the manufacturer's instructions when the dwelling is sited.

Where an individual manufactured home lot abuts a front yard of the manufactured home park or a side or rear yard that borders a public road or highway, said manufactured home shall be sited in a manner so that the longer side of the manufactured home is parallel to or nearly parallel to the public road or highway right-of-way line.

Each dwelling within the manufactured home park shall have the space underneath the dwelling enclosed by skirting constructed of fire-resistant material.

17.15 Standards for Land Development in the RM–Multiple-Residence District

Any parcel on which multiple residence development is proposed shall have direct access to a public road or highway.

All vehicular drives shall be designed and constructed with an all-weather surface material, a minimum of twenty (20) feet wide and properly drained. If the length of the drive is more than one hundred (100) feet or serves more than four (4) residences, then the Planning Board may in its discretion set further requirements.

Any proposed streets or roads within the proposed project that will be deeded to the Town shall be designed and built to Town of Ulysses highway specifications.

The developer shall provide adequate sewer and water facilities. The preferred method of sewage disposal shall be by public or community facilities. However, if the applicant can obtain the appropriate on-site disposal system permit(s), then this method of treatment will be permitted.

To ensure adequate provision for light, air, access and privacy in the arrangement of the buildings to each other, no building shall be closer than 30 feet to another building. Each dwelling unit shall have a minimum of one (1) exterior exposure.

A minimum of ten (10) percent of the gross area of the development or 1,000 square feet per dwelling unit, whichever is greater, shall be provided for outdoor recreation space in addition to set back requirements. The recreation space shall be suitable for outdoor recreational activity and shall be easily accessible to all units.

No parking facilities or driveways, except driveways for the purpose of ingress to or egress from the premises, shall be allowed within any of the front, side or rear yard setback areas.

No parking facilities or driveways shall be located within twelve (12) feet horizontal distance of any dwelling unit.

No buildings or other structures, or parking areas, shall be located within one hundred (100) feet horizontal distance from the stream edge of any watercourse carrying water six (6) months or more throughout the year, or any wetland as defined by state or federal law. With the exception of stream crossings, no roadways shall be located within fifty (50) feet horizontal distance from the stream edge of any watercourse carrying water six (6) months or more throughout the year, or any wetland as defined by state or federal law.

17.16 Standards for Residential Swimming Pools

Swimming pools located on residential premises for private use only, and which include permanently constructed pools used for bathing or swimming that are 24 inches or more in depth, or that have a water surface area exceeding two hundred fifty (250) square feet (about eighteen (18) feet in diameter), shall not be constructed or maintained closer than five (5) feet from side or rear property lines, or be located within the required front yard of any lot or parcel. All swimming pools and associated fences, gates and other ancillary structures shall conform to the provisions of the New York State Building Construction Code or its successors.

17.17 Standards for Roadside Stands

Nonagricultural roadside stands shall not occupy more than 240 square feet of area.

No roadside stand shall be located within the right-of-way of any public road or highway.

No roadside stand shall be placed in a manner that limits the sight distance available to the motoring public or that in any other way obstructs their vision while driving or obstructs sight distance from neighboring driveways.

An all-weather surface must be provided to allow patrons adequate space to park their vehicles in such a manner that they are outside the outer edge of the road or highway shoulder.

All waste generated in the operation of the roadside stand shall be removed daily.

17.18 Standards for Sawmills

Except in the IL–Light Industry District, the hours of operation of any large-scale or small-scale sawmill shall be limited to between 8:00 A.M. and 7:00 P.M.

Except in the IL–Light Industry District, no sawing of logs shall take place on Sunday.

All access roadways and vehicle and equipment parking areas shall be paved, surfaced or covered with gravel so as to be well-drained and provide an all-weather surface.

No storage of logs, lumber, sawdust, bark, scrap wood or equipment of any kind shall be permitted within any yard setback area.

No buildings, structures, log- or lumber-sorting or -storage yards, parking areas or equipment storage areas shall be located within one hundred (100) feet from a stream edge or any wetland as defined by state or federal law.

A visual screen at least 40 feet in width and composed of evergreen trees shall be planted along any site boundary line that abuts one (1) or more residential lots. All evergreen trees shall be at least six (6) feet in height at time of planting and be spaced so as to form an opaque vegetative screen. The owner shall be responsible for maintaining this vegetation buffer.

17.19 Standards for Self-Service Storage Facility

In addition to all other requirements of the B1–Business District, all self-service storage facilities shall:

1. be designed to ensure a minimum of twenty (20) feet between all structures on the site and between any structure and the perimeter fence;
2. be limited to single-story storage structures not exceeding fifteen (15) feet in height;
3. be lighted in a manner that ensures a safe and secure environment (reference [Article XVII, Section 17.5](#)); and
4. be well-maintained and kept free of litter and abandoned or discarded property and vehicles.

Where a security fence is constructed around the perimeter of any self-service storage facility, said fence shall not be located within any front, rear and side yard setback area. All security fences shall be maintained in good condition. No concertina, razor, barbed wire or other such deterrents to unauthorized entry to the site shall be installed on any fences.

17.20 Standards for Commercial Stables

There shall be at least one (1) acre of land for every five (5) horses or ponies kept on the premises when stabled.

No building except residences shall be within fifty (50) feet of a side or rear property line, and no building or parking areas shall be located within the front yard of the property.

All buildings and enclosures shall be cleaned frequently of waste materials and all manure shall be disposed of in a manner that eliminates pollution problems such as odors, dust, leaching and runoff into water courses.

17.21 Standards for Agricultural Commerce

No buildings except residences associated with the farm operation shall be within fifty (50) feet of a side or rear property line, and no building shall be located within the front yard of the property.

All outdoor lighting fixtures installed and utilized shall be subject to the provisions of Article XVII, Section 17.5.

Parking facilities shall comply with the provisions of Article XVII, Section 17.3.

No parking facilities or driveways, except driveways for the purpose of ingress to egress from the premises, shall be allowed within any side or rear yard setback areas.

No parking facilities or driveways, except driveways for the purpose of ingress to egress from the premises, shall be allowed within twenty-five (25) feet of any road or highway right-of-way.

No part of any building used as an agricultural commerce enterprise where repairs to equipment and machinery are performed for hire, or where the fabrication of parts, equipment, or other products for sale occurs, or involves in any other way hammering or other work causing loud or unusual noise, fumes or odors, shall be located within two hundred (200) feet of any R1–Rural Residential, R2–Moderate-Density Residential, RM–Multiple-Residence, or MHP–Manufactured Home District.

No gasoline or oil pump, no oiling or greasing mechanism and no other service appliance installed in connection with any agricultural equipment repair shall be within seventy-five (75) feet of any road or highway right-of-way.

No building or other structures, or parking areas, shall be located within one hundred (100) feet horizontal distance from the stream edge of any watercourse carrying water six (6) months or more throughout the year, or any wetland as defined by state or federal law. With the exception of stream crossings, no roadways shall be located within fifty (50) feet horizontal distance from the stream edge of any watercourse carrying water six (6) months or more throughout the year, or any wetland as defined by state or federal law.

Article XVIII — Land Subdivision Regulations

18.1 Review Procedures and Design Standards

18.1.1 Declaration of Policy

By the authority of Town Law Section 276 of the State of New York, the Planning Board of the Town of Ulysses is authorized and empowered to:

1. Approve plats showing lots, blocks, or sites, with or without roads or highways.
2. Approve the development of entirely or partially undeveloped plats already filed in the office of the clerk of the county.
3. Conditionally approve Preliminary Plats.

It is declared to be the policy of the Town Board to direct the Planning Board to consider land Subdivision Plats as part of a plan for the orderly, efficient and economical development of the Town. This means, among other things, that land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health, or peril from fire, flood or other menace; that proper provision shall be made for drainage, water supply, sewerage and other needed improvements; that all proposed lots shall be laid out and sized in accordance with applicable zoning; that the proposed roads shall compose a convenient system conforming to the Ulysses Zoning Official Map; that proposed roads shall be properly related to the proposals shown on the Ulysses Comprehensive Plan and shall be of such width, grade, and location as to accommodate the prospective traffic, to facilitate fire protection, and to provide access of fire-fighting equipment to buildings; and that proper provision shall be made for open spaces, parks, and playgrounds.

Failure to notify the Code Enforcement Officer of any conveyance by subdivision shall be a violation of this law and will be enforced by both civil action and financial penalties inclusive of injunctive relief to the effect of terminating prior conveyances.

18.1.2 Applicability and Legal Effects

18.1.2.1 Applicability of These Regulations

1. Any division of a lot into two (2) or more lots, whether new streets, public facilities, or municipal utility extensions are involved or not.
2. Any other land transaction which requires filing of a plat with the County Clerk.

Note: Consolidation of lots for tax purposes as initiated by land owners and approved by the County Assessor shall be registered with the Code Enforcement Officer.

18.1.2.2 Legal Effect: Land-Use Regulations

Whenever any subdivision of land is proposed to be made and before any site modifications are made and before any permit for the erection of a structure in such proposed subdivision is granted, the subdivider or a duly authorized agent must apply for in writing and receive approval of the proposed subdivision in accordance with these regulations.

18.1.2.3 Legal Effect: Filing of Plats with County Clerk

Before any plat or licensed survey map of land in the Town of Ulysses is filed with the County Clerk, the plat or licensed survey map must be approved by the Code Enforcement Officer or the Planning Board, as applicable, in accordance with the procedures of this law and Town Law, Section 276.

18.1.2.4 Plat Void If Revised After Approval

No changes, erasures, modifications, or revisions shall be made in any Subdivision Plat or licensed survey map after approval has been given by the Code Enforcement Officer or Planning Board and endorsed in writing on the plat or licensed survey map, unless the plat or licensed survey map is first resubmitted to the Planning Board and the Board approves any modifications. In the event that any such Subdivision Plat or licensed survey map is recorded without complying with this requirement, it shall be considered null and void, and the Code Enforcement Officer may institute proceedings to have the plat or licensed survey map stricken from the records of the County Clerk.

18.1.3 Types of Subdivisions and Procedures

These regulations recognize three types of subdivisions, which are subject to three different review and approval procedures:

Simple Subdivision. Requires the review of the Code Enforcement Officer. A simple subdivision that has frontage on a State Road, Perry City Road, Halseyville Road, or DuBois Road requires the review by the Planning Board using Minor Subdivision Procedures .

Minor Subdivision. Review includes two required submissions by subdivider and may include a public hearing if considered desirable by the Planning Board.

Major Subdivision. Review includes three required submissions by subdivider and at least one (1) public hearing by the Planning Board.

18.1.4 Coordination with County Health Department

The provisions of the Tompkins County Sanitary Code are in addition to the provisions of these Land Subdivision Regulations.

18.1.5 Planning Board Use of Consultants and Services of County and Regional Planning Staff

The Planning Board may choose at any point in a subdivision review process to request consultants or refer to the county or regional planning staffs for review, comment, and advice on any aspect of the approval process, subdivision design, engineering specifications, or other pertinent matters. The cost shall be borne by the applicant.

18.1.6 Plat Review of Uncompleted Subdivisions

The Planning Board may, on direction of the Town Board, review, for purposes of revision, any plat already on file with the County Clerk if 20 percent or more of the plat is uncompleted after ten (10)

years for reasons other than terrain, drainage, soil conditions, or the like. Legislative authority for such review is found in Town Law, Section 276.

18.2 Definitions

18.2.1 Subdivision Definitions

Cluster Subdivision	A form of development that permits a reduction in lot area and bulk requirements, provided there is no increase in the number of lots permitted under a conventional subdivision or increase in the overall density of development, and the remaining land area is devoted to open space, active recreation, preservation of environmentally sensitive areas or agriculture.
Date of Submission	The Date of Submission of required materials shall be considered to be the date on which the materials for approval, complete as determined by the Planning Board Chair or the Planning Board Chair's designee, and accompanied by the required fee, are accepted by the Planning Board Chair, or the designee.
Final Plat or Final Subdivision Plat	A licensed survey map in final form showing a proposed subdivision, containing all information and details required by state and local law, for submission to the Planning Board for purposes of review, public hearing and approval.
Lot	A continuous, unbroken area of land in single ownership of record described by the boundary lines on the Assessor's tax maps.
Major Subdivision	<p>A subdivision of land resulting in four (4) or more lots or the creation of a fourth lot from the same original lot.</p> <ol style="list-style-type: none"> 1. Any division of land defined as a realty subdivision under Section 115 of New York Code Title II and subject to Tompkins County Department of Health review under Section 116 of such Code. 2. Any subdivision that involves a new public right-of-way, municipal utility extension or other new public facility. 3. Any cluster subdivision or other subdivision which deviates from the zoning regulations, official map or other Town development policy will generally be considered a Major Subdivision.
Minor Subdivision	Subdivision of land resulting in three (3) lots and which (1) does not include new streets, municipal utility extensions, clustering or public open space or facilities; (2) does not conflict with the zoning regulations, Official Map or any other

Town development policy; and (3) does not adversely affect use or development of adjoining land.

Preliminary Plat	A drawing, clearly marked "Preliminary Plat," showing the salient features of a proposed subdivision, including the information specified in this document, for purposes of consideration by the Planning Board and public hearing.
Simple Subdivision	Division of a lot into two (2) lots; realignment of boundary lines between lots so as to transfer land from one lot to an adjacent lot; or separation of noncontiguous lots (e.g., lots bisected by public or quasi-public rights-of-way) into separate lots of record without new boundary alignment. No distinction is made between subdivision and resubdivision. Any Simple Subdivision on a state highway, Perry City Road, DuBois Road or Halseyville Road requires Planning Board review under Minor Subdivision procedures.
Sketch Plat	A sketch of a proposed subdivision showing the form, layout, roads, public facilities and other information specified in this document.

18.2.2 Access Definitions

Dead-end road or cul-de-sac	A road or a portion of a road with only one vehicular traffic outlet.
Major road	A road with the capacity to serve heavy flows of traffic and intended primarily as a route for traffic between areas generating heavy volumes of traffic.
Minor road	A road intended to serve primarily as an access to abutting properties.
Reverse frontage lot	Through lot with frontage on two parallel roads with vehicular traffic restricted to only one of the roads.
Road	A street, avenue, lane, highway or other public way; a public right-of-way improved or intended to be improved for traffic. A private drive is not considered to be a road.
Road pavement	The wearing or exposed surface of a roadway used by vehicular traffic.
Road width	The width of a right-of-way, measured at right angles to the centerline of the road.
Town right-of-way (unimproved)	A strip of land owned or controlled by the Town government for the purpose of providing access to abutting lots or for providing a bed for a future improved roadway. All town rights-of-way are

shown on the Town of Ulysses Official Map. Unless otherwise indicated, all Town rights-of-way are sixty (60) feet wide.

Note: The Town's Engineer is designated by the Town Board.

18.3 Subdivision Procedures

18.3.1 Classification of Subdivision

The first stage of subdivision is classification. Classification requires that a subdivider submit a Sketch Plat of the proposed subdivision to the Code Enforcement Officer that provides sufficient detail for the Code Enforcement Officer to classify the action as to the type of review required. The Code Enforcement Officer shall confer with the Chair of the Planning Board for comments and general recommendations as to any adjustment needed to satisfy the objectives of these regulations.

The Sketch Plat initially submitted to the Code Enforcement Officer shall be based on tax map information or on some other similarly accurate base map at a scale (preferably not less than 1:2,400) that enables the entire tract to be shown on one sheet.

A submitted Sketch Plat shall show the following information:

1. The location of that portion which is to be subdivided in relation to the entire tract, and the distance to the nearest existing street intersection.
2. All existing structures, wooded areas, streams, wetlands, flood hazard areas and other significant physical features within the portion to be subdivided and within 200 feet thereof. If topographic conditions are significant, contours shall also be indicated at intervals of not more than ten (10) feet.
3. The names of the owner and of all adjoining property owners as disclosed by the current tax roll.
4. The tax map, block and lot numbers of all lots shown on the plat.
5. All the utilities available and all streets as they appear on the Official Map.
6. The proposed pattern of lots (with dimensions), street layout, recreation areas, systems of drainage, sewerage and water supply within the subdivided area.
7. All existing restrictions on the use of land, including easements, covenants and zoning district boundary lines.
8. Minor and Major Subdivisions may require additional information as specified in this document.

18.3.2 Simple Subdivision Review Procedure

Upon determination by the Code Enforcement Officer that a proposed subdivision is to be treated as a Simple Subdivision, the Code Enforcement Officer acts to approve; conditionally approve with modifications; disapprove; or grant final approval. In any event, final approval cannot be granted until an official survey map prepared by a surveyor licensed by New York State has been presented to the Code Enforcement Officer and such map indicates that all of the requirements of the Zoning Law

have been satisfied. Final approval of the simple subdivision by the Code Enforcement Officer shall be indicated by this officer's signature and date on the final survey map.

18.3.3 Initiation of Minor or Major Subdivision Review

18.3.3.1 Request for Planning Board Review

When the Code Enforcement Officer determines that a subdivision requires Planning Board review, the Code Enforcement Officer shall notify the Chair of the Planning Board of the pending action. To initiate a Planning Board review and approval process of any minor or major subdivision or resubdivision, the owner/subdivider of the land involved must submit to the Code Enforcement Officer, at least ten (10) days prior to the regular meeting of the Planning Board, the following:

1. A written request to approve the proposed subdivision, including any information the owner considers pertinent, and
2. Nine (9) copies as required of a Sketch Plat of the proposed subdivision (reference [Article XVIII, Section 18.3.1](#) hereof), for the purpose of preliminary discussion by the Planning Board.

18.3.3.2 Subdivider to Attend Planning Board Meeting on Sketch Plat

The owner/subdivider, or an authorized representative, shall attend the meeting of the Planning Board at which the Sketch Plat is presented to discuss the requirements of these regulations for road improvements, drainage, sewerage, water supply, fire protection, any applicable storm-water management and similar aspects, as well as the availability of existing services and other pertinent information.

18.3.3.3 Determination on Sketch Plat

The Planning Board shall determine whether the Sketch Plat meets the requirements of Section 3.4.2 and may, if the Sketch Plat is insufficiently complete, reject the application with reasons given in writing. It may also make specific recommendations in writing to be incorporated by the applicant in any subsequent submission to the Planning Board.

18.3.4 Minor Subdivision Review Procedure

18.3.4.1 Application and Fee

Within 6 (six) months after classification of a Sketch Plat as a Minor Subdivision by the Code Enforcement Officer, the subdivider shall submit an application for approval of a Subdivision Plat. Failure to do so shall require resubmission of the Sketch Plat to the Code Enforcement Officer for reclassification. The Subdivision Plat shall conform to the layout shown on the Sketch Plat as well as incorporate any recommendations made by the Planning Board. The application shall also conform to the requirements listed in Section 18.3.4.2.

At least nine (9) copies of the Subdivision Plat shall be presented to the Code Enforcement Officer at the time of submission of the Subdivision Plat.

All applications for plat approval for Minor Subdivisions shall be accompanied by a fee established by Town Board resolution.

18.3.4.2 Requirements for Minor Subdivision Plat Review

A Subdivision Plat application shall include the following information:

1. A copy of such covenants or deed restrictions that are intended to cover all or part of the tract.
2. An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corner of each tract shall also be located on the ground and marked with an approved pin, pipe, or monument and shall be referred to and shown on the plat.
3. All on-site sanitation and water supply facilities (if any) shall be designed to meet the specifications of the Tompkins County Health Department; approval shall be stated on the plat and signed by an officer of the Health Department.
4. The proposed subdivision name (if any), and the names of the Town and County in which it is located.
5. The date, a true-north arrow, the map scale, and the names, addresses and phone numbers of all owners of record and the subdivider.
6. The Subdivision Plat shall be a clear, legible reproduction that meets the standards for filing with the County Clerk as prescribed by law.

18.3.4.3 Subdivider to Attend Planning Board Meeting on Minor Subdivision Plat

The subdivider, or a duly authorized representative, shall attend the meeting of the Planning Board at which a Subdivision Plat is first discussed.

18.3.4.4 Public Hearing on Minor Subdivision Plat

If required by the Planning Board, a public hearing shall be held within 45 days of the Date of Submission of required materials. The hearing shall be advertised in the official newspaper of the Town at least five (5) days before such hearing. If no public hearing is required, the Planning Board shall have 45 days from the Date of Submission to make its decision.

When an applicant is notified of the public hearing date, the applicant shall be required to obtain signage, provided by the Planning Board and obtained from the Code Enforcement Officer. The applicant shall post this signage at the site, in such a manner as to be readily visible to the public from the nearest adjacent public road, at least ten (10) days prior to the public hearing.

18.3.4.5 Action on Minor Subdivision Plat

The Planning Board shall, within 45 days of the date of the public hearing, act to conditionally approve; conditionally approve with modification; disapprove; or grant final approval to and authorize the signing of the Final Subdivision Plat. This time may be extended by mutual consent of the subdivider and the Planning Board. Failure of the Planning Board to act within such time, in the absence of a mutually agreed upon extension, shall constitute approval of the plat.

Upon granting conditional approval with or without modification to the plat, the Planning Board shall empower the Planning Board Chair to sign the plat upon compliance with such conditions and requirements as may be stated in the Board's resolution of conditional approval.

Within five (5) days of the resolution granting conditional approval, the plat shall be certified by the Chair of the Planning Board as conditionally approved; a copy shall be filed in the Town Clerk's office; and a certified copy shall be mailed to the subdivider. The copy mailed to the

subdivider shall include a certified statement of such requirements as, when completed, will authorize the signing of the conditionally approved plat.

Upon completion of the requirements in the resolution of approval, the plat shall be signed by the Chair of the Planning Board. Conditional approval of the plat shall expire 180 days after the date of the resolution granting such approval. The Planning Board may, however, extend the time within which a conditionally approved plat may be submitted for signature, if in its opinion such extension is warranted in the circumstances. Such extension is not to exceed two additional periods of 90 days each.

18.3.5 Major Subdivision Preliminary Plat Review Procedure

18.3.5.1 Application and Fee

Prior to the filing of an application for the approval of a Major Subdivision Plat, the subdivider shall file an application for the approval of a Preliminary Plat of the proposed subdivision. Such Preliminary Plat shall be clearly marked with the words "Preliminary Plat" and shall be in the form described in Section 3.5.2 hereof. The Preliminary Plat shall, in all respects, comply with the requirements set forth in the provisions of Sections 276 and 277 of the Town Law and Section 18.3.5.2 of these regulations, except where a waiver may be specifically authorized by the Planning Board.

At least nine (9) copies of the Preliminary Plat shall be presented to the Code Enforcement Officer along with the fee established by the Town Board.

The Date of Submission of the Preliminary Plat shall be considered to be the date on which the Planning Board accepts as complete the Preliminary Plat and all data required by Section 18.3.5.2. The Planning Board Chair shall note the date on the Preliminary Plat.

18.3.5.2 Requirements for Major Subdivision Preliminary Plat Review

A Preliminary Plat application shall include the following information:

1. The proposed subdivision name, the names of the Town and County in which it is located, the date, a true-north arrow, the map scale, and the names, addresses and phone numbers of all owners of record, the subdivider, and the engineer or surveyor, including license number and seal.
2. The names of the owners of record of all adjacent property.
3. The zoning district, including exact boundary of districts, where applicable, and any proposed changes in the zoning district lines or the zoning regulations text applicable to the area to be subdivided.
4. All parcels of land proposed to be dedicated to public use and the condition of such dedication.
5. The locations of existing property lines, easements, buildings, watercourses, marshes, rock outcrops and wooded areas.
6. The locations of existing sewers, water mains, culverts, and drains on the property, with pipe sizes, grades and direction of flow.

7. Contours with intervals of ten (10) feet or less as required by the Planning Board, including elevations on existing roads, and an approximate grading plan if natural contours are to be changed more than two (2) feet.
8. The width and location of any streets or public ways or places shown on the Official Map of the Ulysses Comprehensive Plan within the area to be subdivided, and the width, location, grades and street profiles of all streets or public ways proposed by the developer.
9. The approximate location and size of all proposed water lines, valves, hydrants, sewer lines, and fire alarm boxes. Connection to existing lines or alternate means of water supply or sewage disposal and treatment as provided in standards published by the Tompkins County Health Department. Show profiles of all proposed water and sewer lines.
10. All requirements as specified in local laws of the Town of Ulysses governing storm-water runoff; a storm-water management plan indicating the approximate location, construction and size of swales; and proposed lines and their profiles. Ramification of connections to existing or alternate means of disposal.
11. Plans and cross-sections showing the proposed new location and types of sidewalks, street lighting standards, street trees, curbs, water mains, sanitary sewers and storm drains, and the size and type thereof; the character, width and depth of pavements and sub-base; the location of manholes, basins, and underground conduits. New features must comply with the Ulysses Subdivision Design Standards, [Article XVIII, Section 18.3.16](#).
12. Preliminary designs of any bridges or culverts which may be required.
13. The proposed lot lines with the approximate dimensions and area of each lot.
14. Where the topography is such as to make difficult the inclusion of any of the required facilities within the public areas as laid out, the Preliminary Plat shall show the boundaries of proposed permanent easements over or under private property, which permanent easements shall not be less than 20 feet in width, and which shall provide satisfactory access to an existing public highway or other public open space shown on the subdivision or the Official Map.
15. An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified to by a licensed land surveyor. The corners of the tract shall also be located on the ground and marked with an approved pin, pipe or monument as approved by the Town Board, and shall be referred to and shown on the plat.
16. If the application covers only a part of the subdivider's holding, a map of the entire tract shall be submitted so that the part of the subdivider's holding covered in the application can be considered in the light of the entire holding. This map shall be drawn at a scale of not less than 1:4,800 and shall show an outline of the platted area with its proposed streets, and an indication of any probable future street system with its grades and drainage in the remaining portion of the tract, and any probable future drainage layout of the entire tract.
17. A copy of any covenants or deed restrictions that are intended to cover all or part of the tract.

18.3.5.3 Subdivider to Attend Planning Board Meeting

The subdivider, or a duly authorized representative, shall attend the meeting of the Planning Board to discuss the Preliminary Plat.

18.3.5.4 Study of Major Subdivision Preliminary Plat

The Planning Board shall study the practicability of a Preliminary Plat, taking into consideration the requirements of the community and the best use of the land being subdivided. Particular

attention shall be given to the arrangement, location and width of streets, their relation to the topography of the land, water supply, sewage disposal, drainage, lot sizes and arrangement, the future development of adjoining lands as yet unsubdivided, and the requirements of the Ulysses Comprehensive Plan, the Official Map, and Zoning Regulations.

18.3.5.5 Public Hearing on Major Subdivision Preliminary Plat

Within 45 days of the Date of Submission of a Preliminary Plat by the Planning Board Chair, the Planning Board shall hold a public hearing. When an applicant is notified of the public hearing date, the applicant shall be required to obtain signage provided by the Planning Board by way of the Code Enforcement Officer and to post it at the site, in such a manner as to be readily visible to the public from the nearest adjacent public road, at least ten (10) days prior to the public hearing. The public hearing shall be advertised at least once in the official newspaper of the Town at least five (5) days before such hearing. The Planning Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such Preliminary Plat.

Within 45 days of the date of the public hearing, the Planning Board shall approve with or without modification or disapprove the Preliminary Plat, and the grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Planning Board. The time in which the Planning Board must take action on such plat may be extended by written mutual consent of the subdivider and the Planning Board.

18.3.5.6 Planning Board Approval of Preliminary Plat

Conditional Approval of Preliminary Plat. When granting approval to a Preliminary Plat, the Planning Board shall state the terms of such approval, if any, with respect to:

1. Modifications to the Preliminary Plat.
2. The character and extent of the required improvements for which waivers may have been requested and which in its opinion may be waived without jeopardy to the public health, safety and welfare.
3. The required improvement or the amount of all bonds therefore which it will require as prerequisite to the approval of the Final Subdivision Plat.

Effect of Approval of Preliminary Plat. Approval of a Preliminary Plat shall not constitute approval of the Final Subdivision Plat, but rather it shall be deemed an expression of approval of the design submitted on the Preliminary Plat as a guide to the preparation of the Final Subdivision Plat, which will be submitted for approval of the Planning Board and for recording upon fulfillment of the requirements of these regulations. When approving a Preliminary Plat, the Planning Board shall state in writing the modifications, if any, it deems necessary for submission of the plat in final form. Within five (5) days of the approval of such Preliminary Plat, it shall be certified by the Planning Board Chair as having been granted preliminary approval, and a copy shall be filed with the Town Clerk, a certified copy shall be mailed to the owner, and a copy shall be forwarded to the Town Board. Prior to approval of the Final Subdivision Plat, the Planning Board may require additional changes as a result of further study of the subdivision in final form or as a result of new information obtained at the public hearing.

Failure of the Planning Board to act within the 45-day period shall constitute approval of the Preliminary Plat.

18.3.6 Major Subdivision Final Plat Application

18.3.6.1 Application

A subdivider shall, within six (6) months after the approval of a Preliminary Plat, file with the Planning Board an application for approval of a Final Subdivision Plat in final form, using the approved application blank available from the Code Enforcement Officer. If the Final Subdivision Plat is not submitted for approval within six (6) months after the approval of the Preliminary Plat, the Planning Board may refuse to approve the Final Subdivision Plat and require resubmission of the Preliminary Plat.

A subdivider intending to submit a Final Plat for the approval of the Planning Board Chair shall provide the Code Enforcement Officer with a copy of the application and copies as required of the plat, including one in ink on drafting film or an acceptable, equal medium that permits reproductions of the original; the original and one copy of all offers of cession, covenants and agreements; and two prints of all construction drawings.

18.3.6.2 Major Subdivision Final Plat and Accompanying Data

Final Plat Filing. Any Final Plat must be stamped by the Planning Board Chair, the Tompkins County Health Department, and the Tompkins County Assessment Department and then must be filed with the County Clerk within 92 days of the Planning Board approval. The County Clerk's filing standards may vary from the review standards of the Town.

The Town's Final Plat shall show:

1. Proposed subdivision name or identifying title and the names of the Town and County in which the subdivision is located; the names and addresses of the owners of record and of the subdivider; and the name, license number and seal of the New York State-licensed land surveyor.
2. Road lines, pedestrian ways, lots, reservations, easements and areas to be dedicated to public use.
3. Data acceptable to the Code Enforcement Officer as sufficient to determine readily the location, bearing and length of every street line, lot line and boundary line and as sufficient to reproduce such lines upon the ground. Where applicable, these should be referred to monuments included in the State plane coordinate system, and in any event should be tied to reference points previously established by a public authority.
4. The length and bearing of all straight lines, radii, length of curves, central angles of curves, and tangent bearings shall be given for each street. All dimensions and angles of the lines of each lot shall also be given. All dimensions shall be shown in feet and decimals of a foot. The plat shall show the boundaries of the property, location, graphic scale and true-north arrow.
5. The plat shall also show by proper designation thereon all public open spaces for which deeds are included and those spaces whose title is reserved by the developer. For any of the latter there shall be submitted with the Final Subdivision Plat copies of agreements or other documents showing the manner in which such areas are to be maintained and the provisions made therefore.
6. All offers of cession and covenants governing the maintenance of unceded open space shall bear the certificate of approval of the Town Attorney as to their legal sufficiency.
7. Lots and blocks within a subdivision shall be numbered or lettered in alphabetical order in accordance with the prevailing Town practice.

8. Permanent reference monuments shall be shown and shall be constructed in accordance with specifications of a licensed engineer or surveyor. When referred to the State plane coordinate system they shall also conform to the requirements of the State Department of Transportation. They shall be placed as required by the Town and their location noted and referred to upon the Final Plat.
9. All lot corner markers shall be permanently located in a way satisfactory to a licensed engineer or surveyor.
10. Pins, pipes or monuments of a type approved by the Town Board shall be set at all corners and angle points of the boundaries of the original tract to be subdivided, and at all street intersections, angle points in street lines, points of curve, and such intermediate points as shall be required by a licensed engineer or surveyor.
11. Construction drawings, including plans, profiles and typical cross-sections as required, showing the proposed location, size and type of streets, sidewalks, street lighting standards, street trees, curbs, water mains, sanitary sewers and storm drains, pavements and sub-base, manholes, catch basins and other facilities.

18.3.7 Endorsement of State and County Agencies

Water and sewer facility proposals contained in the Final Subdivision Plat shall be properly endorsed and approved by the Tompkins County Department of Health. Applications for approval on plans for sewer or water facilities shall be filed by the subdivider with all necessary Town, County, and State agencies. Endorsement and approval by the Tompkins County Department of Health shall be secured by the subdivider prior to official submission of the Final Subdivision Plat for approval by the Planning Board.

18.3.8 Public Hearing and Review of the Final Plat

Within 45 days of the Date of Submission of a Major Subdivision Final Plat in final form for approval, a public hearing shall be held by the Planning Board. This hearing shall be advertised. Advertising shall be at least once in the official newspaper of the Town and at least five (5) days before the hearing. If, however, the Planning Board deems the final plat to be in substantial agreement with a Preliminary Plat approved under [Article XVIII, Section 18.3.5.6](#) hereof, and modified in accordance with requirements of such approval if such Preliminary Plat had been approved with modification, the Planning Board may waive the requirement for such a public hearing.

18.3.9 Planning Board Action on Proposed Final Subdivision Plat

18.3.9.1 Prescribed Time for Action

The Planning Board action shall be by resolution to conditionally approve with or without modification; disapprove; or grant final approval to and authorize the signing of the plat by the Chair of the Planning Board. The action is to be taken within 45 days of the public hearing, if one was held, and if no public hearing was held, within 45 days of the Date of Submission. This time may be extended by written mutual consent of the subdivider and the Planning Board. Failure to take action on a final plat within the time prescribed therefore shall be deemed approval of the plat.

18.3.9.2 Conditional Approval

Upon resolution of conditional approval of a Final Plat, the Planning Board shall empower the Chair of the Planning Board to sign the plat upon completion of such requirements as may be stated in the resolution. Within five (5) days of such resolution, the plat shall be certified by the Chair of the Planning Board as conditionally approved, and a copy filed in the Town Clerk's office, and a certified copy mailed to the subdivider. The copy mailed to the subdivider shall include a certified statement of such requirements as, when completed, will authorize the signing of the conditionally approved Final Plat.

18.3.9.3 Certification by Chair of Planning Board

Upon completion of such requirements, the plat shall be signed by the Chair or designee of the Planning Board.

18.3.9.4 Expiration of Approval

Conditional approval of a Final Plat shall expire 180 days after the date of the resolution granting such approval unless the requirements have been certified as completed within that time. The Planning Board may, however, extend the time within which a conditionally approved plat may be submitted for signature, if in its opinion such extension is warranted by the circumstances; such extension is not to exceed two (2) additional periods of 90 days each.

18.3.10 Required Improvements

18.3.10.1 Final Approval of Major Subdivision Final Plat

Before the Planning Board grants final approval of a Major Subdivision Final Plat, the subdivider shall follow the procedure set forth in either Section 18.3.10.2 or Section 18.3.10.3 below.

18.3.10.2 Full-Cost Check or Bond

In an amount set by the Planning Board, the subdivider shall *either* file with the Town Clerk a certified check to cover the full cost of the required improvements, *or* the subdivider shall file with the Town Clerk a performance bond to cover the full cost of the required improvements. Any such bond shall comply with the requirements of Section 277 of Town Law, and further shall be satisfactory to the Town Board and Town Attorney as to form, sufficiency, manner of execution and surety. A period of one (1) year, or such other period as the Planning Board may determine appropriate, not to exceed three (3) years, shall be set forth in the bond as the time within which required improvements must be completed.

18.3.10.3 Check or Bond for Completion

The subdivider shall complete all required improvements to the satisfaction of the Code Enforcement Officer, who shall file with the Planning Board a letter signifying the satisfactory completion of all improvements required by the Planning Board. For any required improvements not so completed, the subdivider shall file with the Town Clerk a bond or certified check covering the costs of such improvements. Any such bond shall be satisfactory to the Town Board and Town Attorney as to form, sufficiency, manner of execution and surety.

18.3.10.4 Underground Utilities Map

The required improvements shall not be considered to be completed until the installation of the improvements has been approved by a licensed engineer or surveyor and a map satisfactory to the Code Enforcement Officer has been submitted indicating the location of monuments marking all underground utilities as actually installed. If the subdivider completes all required improvements

according to Section 18.3.10.3 hereof, then the map shall be submitted prior to endorsement of the plat by the Planning Board Chair. However, if the subdivider elects to provide a bond or certified check for all required improvements as specified in Section 3.10.2 hereof, such bond shall not be released until such a map is submitted.

18.3.11 Modification of Design of Improvements

If, at any time during the construction of required improvements, it is demonstrated to the satisfaction of the Code Enforcement Officer that unforeseen conditions make it necessary to modify the location or design of the required improvements, the Code Enforcement Officer may, upon approval by the Chair of the Planning Board or designee, authorize modifications, provided that these modifications are within the spirit and intent of the Planning Board's approval and do not extend to the waiver or substantial alteration of the function of any improvements required by the Board. The Code Enforcement Officer shall issue any authorization under this section in writing and shall transmit a copy of such authorization to the Planning Board at its next regular meeting.

18.3.12 Inspection of Improvements

18.3.12.1 Inspection Fee

At least five (5) days prior to commencing construction of required improvements, a subdivider shall pay to the Town Clerk the inspection fee required by the Town Board and shall notify the Town Board in writing of the time when the subdivider proposes to commence construction of the improvements, so that the Town Board may cause inspection to be made to assure that all Town specifications and requirements shall be met during the construction of required improvements, and to assure the satisfactory completion of improvements and utilities required by the Planning Board.

18.3.12.2 Proper Installation of Improvements

If the Town's Engineer finds, upon inspection of the improvements performed before the expiration date of a performance bond, that any of the required improvements have not been constructed in accordance with plans and specifications filed by the subdivider, the engineer shall so report to the Town Board, Code Enforcement Officer and Planning Board. The Town Board then shall notify the subdivider and, if necessary, the bonding company, and take all necessary steps to preserve the Town's rights under the bond. No additional Subdivision Plat shall be approved by the Planning Board as long as the subdivider is in default on a previously approved Subdivision Plat.

18.3.13 Final Approval of Subdivision Plat

18.3.13.1 Signature of Planning Board Chair

Upon completion of the requirements in Sections 18.3.9 through 18.3.12 hereof and notation to that effect upon the Subdivision Plat, it shall be deemed to have final approval and shall be properly signed by the Chair or designee of the Planning Board and may be filed by the applicant in the Office of the County Clerk.

18.3.13.2 Prompt Filing

Any Subdivision Plat not so filed or recorded within 30 days of the date upon which the plat is approved or considered approved by reason of the failure of the Planning Board to act shall become null and void.

18.3.13.3 Plat Void If Revised after Approval.

No changes, erasures, modifications or revisions shall be made in any Subdivision Plat after approval has been given by the Planning Board and endorsed in writing on the plat, unless the plat is first resubmitted to the Planning Board and the Board approves any modifications. In the event that any such Subdivision Plat is recorded without complying with this requirement, it shall be considered null and void, and the Board shall institute proceedings to have the plat stricken from the records of the County Clerk.

18.3.14 Public Streets and Recreation Areas

18.3.14.1 Public Acceptance of Roads

The approval by the Planning Board of a Subdivision Plat shall not be deemed to constitute or be evidence of any acceptance by the Town of any road, easement or other open space shown on the Subdivision Plat.

18.3.14.2 Ownership and Maintenance of Recreation Areas

When a park, playground, or other recreation area has been shown on a Subdivision Plat, approval of the plat shall not constitute an acceptance by the Town of the recreation area. The Planning Board shall require the plat or licensed survey map to be endorsed with approved and appropriate restrictions and disclaimers to this effect. The Planning Board may also require the filing of a written agreement between the applicant and the Town Board covering future deed and title, dedication, and provision for the cost of grading, development, equipment and maintenance of any such recreation area.

18.3.15 Cluster Subdivisions

18.3.15.1 Authority

The Planning Board is empowered to modify applicable provisions of the Town Zoning Law in accordance with the provisions of Section 278 of the Town Law for the purpose of enabling and encouraging flexibility of design and development of land in such a manner as to promote the most appropriate use of land, to facilitate the adequate and economic use of streets and utilities, and to preserve the natural and scenic qualities of open lands. The following shall be the procedure and standards:

18.3.15.2 Request by Subdivider

A subdivider may request the use of Town Law, Section 278, with respect to presentation of a Sketch Plat as described in [Article XVIII, Section 18.3.1](#) hereof.

18.3.15.3 Sketch Plat

A subdivider shall present, along with a proposal in accordance with the provisions of Town Law, Section 278, a Cluster Sketch Plat which is consistent with all the criteria established by these Land Subdivision Regulations, including roads being consistent with the road specifications and lots being consistent with Zoning Regulations.

18.3.15.4 Park, Recreation, Open Space or Other Municipal Purposes

If the application of this procedure results in a plat showing land available for park, recreation, open space or other municipal purposes directly related to the plat, then necessary conditions as to ownership, use and maintenance of such lands for their intended purposes shall be set forth by the Planning Board.

18.3.15.5 Plat Submission

Upon determination that a Sketch Plat is suitable for the procedures under Town Law, Section 278, and subsequent to the resolution authorizing the Planning Board to proceed, a Preliminary Plat meeting all of the requirements of the resolution shall be presented to the Planning Board, and thereafter the Planning Board shall proceed with the required public hearings and other requirements of these regulations.

18.3.15.6 Filing: Notation on Zoning Map

Upon making final approval of a plat on which Town Law, Section 278, Cluster Subdivision provisions have been used, the Planning Board Chair shall notify the Town Clerk, who shall make the appropriate changes to the map under Town Law Section 264.

18.3.16 General Requirements and Design Standards

In considering applications for subdivision of land, the Planning Board shall be guided by the following principles and the standards set forth in Sections 18.3.17 through 18.3.22 hereof. The standards shall be considered minimum requirements and shall be waived by the Planning Board only under circumstances set forth in [Article XVIII, Section 18.3.23](#) hereof.

18.3.16.1 Character of Land

Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace.

18.3.16.2 Conformity to Official Map and Ulysses Comprehensive Plan

Subdivisions shall conform to the Official Map of the Town and shall be in harmony with the Ulysses Comprehensive Plan.

18.3.16.3 Specifications for Required Road Improvements

All required improvements shall be constructed or installed to conform to the Town Specifications, which are found below. Further specifications and consultation may be obtained from the Code Enforcement Officer.

18.3.17 Road Considerations

18.3.17.1 Statement of Acceptance

All roads that are to be dedicated as public roads must comply with the standards set forth in this document. All access roads that are not to be dedicated as public roads must comply with Section 280(a) of Town Law. Roads will be accepted only if they are free and clear of all liens, encumbrances, easements and rights-of-way. A written statement of acceptance must be filed by the Highway Superintendent and the Town Attorney before any road shall be accepted by the Town Board.

18.3.17.2 Width, Location, and Construction

Roads shall be sufficiently wide, suitably located, and adequately constructed to conform to the Ulysses Comprehensive Plan and to accommodate the prospective traffic and afford access for firefighting, snow removal and other road-maintenance equipment. The arrangement of roads shall be such as to cause no undue hardship to adjoining properties and shall be coordinated so as to compose a convenient system. Refer to [Article XVIII, Section 18.3.18](#) hereof for roads that are to be turned over to and maintained by the Town.

18.3.17.3 Arrangement of Roads

The arrangement of roads in a subdivision shall provide for the continuation of principal streets of adjoining subdivisions, and for proper projection of principal streets into adjoining properties which are not yet subdivided, in order to make possible necessary fire protection, movement of traffic, and the construction or extension, presently or when later required, of needed utilities and public services such as sewers, water lines and drainage facilities. Subdivisions containing 20 lots or more shall have at least two (2) street connections with existing public streets, or streets shown on the Official Map, if such exist, or streets on an approved Subdivision Plat for which a bond has been filed.

Where, in the determination of the Planning Board, topographic or other conditions make such continuance undesirable or impracticable, the above conditions may be modified.

18.3.17.4 Minor Roads

Minor roads shall be so laid out that their use by through traffic will be discouraged.

18.3.17.5 Special Treatment Along Major Arterial Roads

When a subdivision abuts or contains an existing or proposed major arterial road, the Planning Board may require marginal access roads, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with rear service alleys, or such other treatment as may be necessary to afford adequate protection of residential properties and to afford separation of through and local traffic.

18.3.17.6 Loop Roads and Circle Drives

The creation of loop residential roads will be encouraged wherever the Planning Board finds that such roads are needed or desirable. Circle drives create problems for snow plowing and are discouraged. The Planning Board may require the reservation of a 20-foot-wide easement to provide for continuation of pedestrian traffic and utilities to the next street.

18.3.17.7 Dimensions of Blocks

Blocks generally shall not be less than 400 feet nor more than 1,200 feet in length. In general, no block width shall be less than twice the normal lot depth. In blocks exceeding 800 feet in length, the Planning Board may require the reservation of a 20-foot-wide easement through the block to provide for the crossing of underground utilities and pedestrian traffic where needed or desirable and may further specify, at its discretion, that a four (4)-foot-wide paved foot path be included.

18.3.17.8 Openings for Minor Roads

Minor or secondary road openings into such roads shall, in general, be at least 500 feet apart.

18.3.17.9 Road Jogs

Road jogs with centerline offsets of less than 125 feet shall not normally be permitted.

18.3.17.10 Angles of Intersection

The angle of intersection for all roads shall be such that for a distance of at least 100 feet a road is within ten (10) degrees of a right angle to the road it joins.

18.3.17.11 Roads' Relation to Topography

The road plan of a proposed subdivision shall bear a logical relationship to the topography of the property, and all streets shall be arranged so as to obtain as many of the building sites as possible

at or above the grade of the streets. Grades of roads shall conform as closely as possible to the original topography.

18.3.17.12 Borders with Railroad or Limited-Access Highway Rights-of-Way

Where a subdivision borders on or contains a railroad right-of-way or a limited-access highway right-of-way, the Planning Board may require a road approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land (as for park purposes in residential districts or for commercial or industrial purposes in appropriate districts). Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.

18.3.18 Road Design

18.3.18.1 Guidelines

1. Rights-of-way:

- a. Major Roads: 66-foot right-of-way, 40-foot minimum pavement width (four (4) travel lanes).
- b. Local Roads: 60-foot right-of-way, 20-foot minimum pavement width (two (2) travel lanes).

Additional rights-of-way may be required where deep cuts or fills are needed.

2. Width of road: 20-foot minimum pavement width, lanes ten (10)-foot minimum width.
3. Shoulder width: Six (6)-foot minimum width.
4. Sight distance: Sight distance shall be at least 300 feet for intersections, horizontal curves and vertical curves.
5. In all cases where lots of less than 200 foot frontage are shown on the highway, alignment shall accommodate a potential future five (5)-foot-wide sidewalk on the side along the highway right-of-way.

18.3.18.2 Construction Specifications (Refer to Figure 2.)

1. Before any gravel is placed, the subgrade shall be crowned to a five (5) percent grade and shall be well compacted.
2. Adequate ditches shall be provided by the builder. The minimum ditch grade shall be 0.5 percent. The Town will maintain ditches after acceptance of road.
3. Culverts shall be placed in natural waterways, at low spots in grade, and in other spots where required. Builder will furnish culverts and install head walls if requested by the Highway Superintendent. All culvert sizes and lengths shall be determined and culvert designs approved by the Highway Superintendent before installation.
4. Under drains shall be placed in low, wet areas where side hill seepage is encountered or in other areas where required.
5. Approved gravel base shall be placed six (6) to 18 inches deep from ditch to ditch and well compacted. All depth measurements refer to compacted depths. The top lift shall be crushed gravel or crusher-run stone, 20 feet wide and six (6) inches deep centered on base and compacted. The total compacted depth of gravel shall be 12 to 24 inches. Gravel base will be compacted at six (6)- to eight (8)-inch lifts, top grade compacted at the six (6)-inch lift.

6. All roads must be paved with either a liquid bituminous material or a plant-mixed bituminous concrete material. Base course three (3) inches minimum, top course two (2) inches minimum.
7. Crown on road: Two (2) percent grade.
8. If considered necessary for road maintenance purposes, the Highway Superintendent may require greater road curve radii than the standards in the following sections.

18.3.18.3 Further Road Improvements, Including Fire Hydrants and Lighting

Roads shall be graded and improved with pavement. In addition, roads may require curbs and gutters, sidewalks, storm drainage facilities, water mains, sewers, street lights and signs, street trees and fire hydrants, except where waivers may be requested, and the Planning Board may waive, subject to appropriate conditions, such improvements as it considers may be omitted without jeopardy to the public health, safety and general welfare. Pedestrian easements shall be improved as required by the Town's Engineer. Such grading and improvements shall be approved as to design and specifications by the Town's Engineer.

1. Fire hydrants shall conform to all requirements of standard thread and nut as specified by the New York Fire Insurance Rating Organization and the Division of Fire Safety of the State of New York and the Town of Ulysses specifications or laws for public water service.
2. Lighting facilities shall be in conformance with the lighting system of the Town. Such lighting standards and fixtures shall be installed after approval by the appropriate power company and the authorized Town electrical inspector.

18.3.18.4 Underground Utilities

The Planning Board shall require that underground utilities be placed in the road right-of-way between the paved roadway and road line to simplify location and repair of lines when they require attention. The subdivider shall install underground service connections to the property line of each lot within the subdivision for such required utilities before the road is paved. Where topography is such as to make impractical the inclusion of utilities within the road rights-of-way, perpetual unobstructed easements at least 20 feet in width shall be otherwise provided with satisfactory access to the road. Wherever possible, easements shall be continuous from block to block and shall present as few irregularities as possible. Such easements shall be cleared and graded where required.

18.3.18.5 Grades

Grades of all roads shall conform in general to the terrain, and shall not be less than 0.5 percent nor more than six (6) percent for major or collector roads, or ten (10) percent for minor roads in residential zones, but in no case more than three (3) percent within 50 feet of any intersection. All changes in grade shall be connected by vertical curves of such length and radius as meet with the approval of the Town's Engineer so that clear visibility shall be provided for a safe distance.

18.3.18.6 Curves at Intersections

All road right-of-way lines at intersections shall be rounded by curves of at least a 20-foot radius, and curbs shall be adjusted accordingly. (Refer to Figure 3.)

18.3.18.7 Visibility

Visibility at intersections shall be maintained. A combination of steep grades and curves shall be avoided. In order to provide visibility for traffic safety, that portion of any corner lot (whether at

an intersection entirely within the subdivision or of a new road with an existing road) which is shown shaded on the figure below shall be cleared of all growth (except isolated trees) and obstructions above a level three (3) feet higher than the centerline of the road. If such is directed, ground shall be excavated to achieve visibility. (Refer to Figure 4.)

18.3.18.8 Circle Drive Requirements

Circle drive roads shall terminate in a circular turnaround having a minimum outside right-of-way diameter of 220 feet and a minimum right-of-way width of 60 feet. Circle drive roads are to be discouraged and a loop road used instead. At the end of a temporary dead-end road, the developer should put in a temporary hammerhead turnaround. (Refer to Figure 5.)

18.3.18.9 Loop Roads

The two intersections of a loop road with the main road must be a minimum of two (2) lot depths apart. (Refer to Figure 6.)

18.3.18.10 Watercourses

Where a watercourse separates a proposed road from abutting property, provision shall be made for access to all lots by means of culverts or other structures of design approved by the Highway Superintendent or the Town's Engineer. Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a storm-water easement or drainage right-of-way as required by the Highway Superintendent or the Town's Engineer, which in no case shall be less than 20 feet in width.

18.3.18.11 Curves at Deflecting Roads

In general, road lines within a block deflecting from each other at any one point by more than ten (10) degrees shall be connected with a curve, the radius of which from the centerline of the street shall not be less than 400 feet on major roads, 200 feet on local roads, and 100 feet on minor roads. (Refer to Figure 7.)

18.3.18.12 Service Roads

Paved rear service roads of not less than 20 feet in width, or in lieu thereof, adequate off-road loading space, surfaced with a suitable, dust-free material, shall be provided in connection with lots designed for commercial use.

18.3.18.13 Commercial Zones

In front of areas zoned and designed for commercial use, or where a change of zoning to a zone which permits commercial use is contemplated, the road width shall be increased by such an amount on each side as may be deemed necessary by the Planning Board to assure the free flow of through traffic without interference by parked or parking vehicles, and to provide adequate and safe parking space for such a commercial or business district.

18.3.19 Road Names

All road names shown on a Preliminary Plat or Subdivision Plat shall be approved by the Planning Board. In general, roads shall have names and not numbers or letters.

Proposed road names shall be substantially different so as not to be confused in sound or spelling with present names in this or nearby municipalities, except that roads that join or are in alignment

with roads of an abutting or neighboring property shall bear the same name. Generally, no road should change direction sharply or at a corner without a change in name.

18.3.20 Lots

18.3.20.1 Lots Shall Be Buildable

The lot arrangement shall be such that in constructing a building in compliance with the zoning regulations, there will be no foreseeable difficulties for reasons of topography or other natural conditions. Lots approved in a subdivision cannot be further divided.

18.3.20.2 Side Lines

All side lines of lots shall be at right angles to straight road lines and radial to curved road lines, unless a variance from this rule will give a better road or lot plan.

18.3.20.3 Corner Lots

In general, corner lots should be larger than interior lots to provide for proper building setback from each street and provide a desirable building site, and to avoid obstruction of free visibility at the roadway intersection. See [Article XVIII, Section 18.3.18.7](#).

18.3.20.4 Driveway Access

Driveway access and grades shall conform to specifications of the Town Law. Driveway grades between the street and the setback line shall not exceed ten (10) percent.

18.3.20.5 Access from Private Roads

Access from private roads shall be deemed acceptable only if such roads are designed and improved in accordance with these regulations.

18.3.20.6 Monuments and Lot Corner Markers

Monuments and lot corner markers shall be permanent monuments meeting specifications approved by the Town Board as to size, type and installation; they shall be set at such block corners, angle points, points of curves in streets and other points as the Town's Engineer may require; and their location shall be shown on the Subdivision Plat.

18.3.21 Drainage Improvements

18.3.21.1 Storm-Water Runoff

All subdivisions are subject to all New York State and local laws governing storm-water runoff.

18.3.21.2 Removal of Spring and Surface Water

The subdivider may be required by the Planning Board to carry away by pipe or watercourse any spring or surface water that may exist either previous to, or as a result of, a subdivision. Such drainage facilities shall be located in the road right-of-way where feasible, or in perpetual unobstructed easements of appropriate width.

18.3.21.3 Drainage Structure to Accommodate Potential Development Upstream

Any culvert or other drainage facility shall be large enough to accommodate potential runoff from the entire upstream drainage area, whether inside or outside the subdivision. The Town's Engineer shall approve the design and size of the facility on the basis of anticipated runoff from a

ten-year storm under conditions of total potential development permitted by the Zoning Regulations in the watershed.

18.3.21.4 Downstream Drainage

The subdivider's engineer shall also study the effect of each subdivision on the existing downstream drainage facilities outside the area of the subdivision; this study shall be reviewed by the Town's Engineer. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility during a five-year storm, the Planning Board shall notify the Town Board of such potential condition. In such case, the Planning Board shall not approve the subdivision until provision has been made for the improvement of such condition.

18.3.21.5 Land Subject to Flooding

Land subject to flooding shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life or property, or aggravate the flood hazard, but such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation, or improved in a manner satisfactory to the Planning Board to remedy the hazardous conditions.

18.3.22 Parks, Open Spaces, and Natural Features

18.3.22.1 Open Space to Be Shown on Plat

Where a proposed park, playground, or open space shown on the Town Plan is located in whole or in part in a subdivision, the Board shall require that such area or areas be shown on the plat in accordance with the requirements specified in Section 18.3.22.2 hereof. Such area or areas may be dedicated to the Town by the subdivider if the Town Board approves such dedication.

18.3.22.2 Parks and Playgrounds Not Shown on Town Plan

The Planning Board shall require that a plat show sites of a character, extent and location suitable for the development of a park, playground or other recreation purpose. The Planning Board may require that the developer satisfactorily grade any such recreation areas shown on the plat.

The Board shall require that not less than three (3) acres of recreation space be provided for 100 dwelling units shown on the plat. However, in no case shall the Board require more than ten (10) percent of the total area to be set aside in the subdivision. Such area or areas may be dedicated to the Town by the subdivider if the Town Board approves such dedication.

18.3.22.3 Information to Be Submitted

In the event that an area to be used for a park or playground is required to be so shown, the subdivider shall, prior to final approval, submit to the Board eight (8) prints (one on Mylar) drawn in ink showing, at a scale not smaller than 1:300, such area and the following features thereof:

1. The boundaries of the area, giving metes and bounds of all straight lines, radii, lengths, central angles and tangent distances of all curves.
2. Existing features such as brooks, ponds, clusters of trees, rock outcrops and structures.
3. Existing, and, if applicable, proposed changes in grade and contours of the area and of areas immediately adjacent.

18.3.22.4 Waiver of Plat Designation of Area for Parks and Playgrounds

In cases where the Planning Board finds that due to the size, topography or location of the subdivision, land for a park, playground or other recreation purpose cannot be properly located therein, or, if in the opinion of the Board it is not desirable, the Board may waive the requirement that the Plat show land for such purposes. The Board shall then require as a condition to approval of the Plat a payment to the Town of Ulysses in an amount established by the Town Board. Payment shall be per gross acre of land which otherwise would have been acceptable as a recreation site. The amount of land which otherwise would have been acceptable as a recreation site shall be determined in accordance with the standards set forth in Section 18.3.22. Such amount shall be paid to the Town at the time of Final Plat approval, and no plat shall be signed by the authorized officer of the Planning Board until such payment is made. All such payments shall be held by the Town in a special Town Recreation Site Acquisition and Improvement Fund to be used for the acquisition of land that:

1. Is suitable for public park, playground or other recreational purposes.
2. Is so located that it will serve primarily the general neighborhood in which the land covered by the plat lies.
3. Shall be used only for park, playground or other recreational land acquisition or improvements. Such money may also be used for the physical improvement of existing parks or recreation areas serving the general neighborhood in which the land shown on the plat is situated, providing the Town Board finds there is a need for such improvements.

18.3.22.5 Reserve Strips

Reserve strips of land which might be used to control access from a proposed subdivision to any neighboring property, or to any land within the subdivision itself, shall be prohibited.

18.3.22.6 Preservation of Natural Features

The Planning Board shall, wherever possible, seek to preserve all natural features which add value to residential developments and to the community, such as large trees or groves, water-courses and falls, beaches, historic spots, vistas and similar irreplaceable assets. No tree with a diameter of twenty (20) inches or more at [breast height](#) shall be removed unless the tree is within the right-of-way of a street as shown on the final Subdivision Plat or the tree is damaged or diseased. Removal of additional trees shall be subject to the approval of the Planning Board. In no case, however, shall a tree with a diameter of twenty (20) inches or more as measured at Breast Height above the base of the trunk be indicated to be removed without prior approval by the Planning Board. All trees twenty (20) inches in diameter or greater at breast height shall be shown on the plat or survey map.

18.3.23 Waivers of Certain Required Improvements

Where the Planning Board finds that, due to special circumstances of a particular plat, the provision of certain required improvements is not requisite to the interest of the public health, safety and general welfare or is inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the proposed subdivision, the Board may waive such requirements subject to appropriate conditions, provided that such waiver will not have the effect of nullifying the intent and purpose of the Official Map, the Ulysses Comprehensive Plan or the Zoning Law.

In granting waivers, the Planning Board shall require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so waived.

Article XIX — Communication Transmission Towers and Telecommunications Facilities

19.1 Purpose

The purpose of this section is to recognize the increased demand for wireless communications transmission facilities and for the services they provide. Often these facilities require the construction of a communications tower. The intent of this section is to protect the Town's interest in siting towers in ways consistent with sound land-use planning by minimizing visual and environmental effects of towers through careful design, siting, and vegetative screening; avoiding potential damage to adjacent properties from tower failure or falling debris through engineering and careful siting of tower structures and facilities; and maximizing use of any new or existing tower and encouraging the use of existing buildings and/or structures in order to reduce the number of towers needed while also allowing wireless service providers to meet their technological and service objectives for the benefit of the public.

19.2 Exemptions

For the purpose of this Article, any telecommunications facility that (1) is less than 75 feet in height and is set back from any lot line a distance equal to its height plus ten (10) feet, and (2) does not require use of guy wires to stabilize the antenna structure, and (3) does not have an antennae or dish that extends more than ten (10) feet horizontally from the tower structure nor have more than 7 square feet of surface area, is exempt from the requirements of this Article.

19.3 Definitions

For the purpose of this Article the following definitions shall apply:

Accessory structure	An accessory facility or structure serving or being used in conjunction with a telecommunications facility or tower and located on the same lot as the telecommunications facility or tower. Examples of such structures include utility or transmission equipment, storage sheds or cabinets.
Antenna	A system of electrical conductors that transmit or receive radio frequency signals. Such signals shall include but not be limited to radio, television, cellular, paging, personal communications services and microwave communications.
Co-located antennas	Telecommunications facilities which utilize existing towers, buildings or other structures for placement of antenna(s) and which do not require construction of a new tower.
Height	Height includes height of structure and any attachments on the principal structure.

Telecommunications facilities	Towers and/or antennas and accessory structures used in connection with the provision of cellular telephone service, personal communications services, radio and television broadcast services and similar broadcast services.
Tower	A structure designed to support antennas. Towers may include freestanding towers, guyed towers, monopoles and similar structures that employ camouflage technology.

19.4 Standards

The following requirements related to project and site dimensions shall be adhered to:

19.4.1 Height

The tower shall be less than one hundred (100) feet in height unless a different height above that limit is demonstrated by the applicant as being necessary, and proof as to coverage needs is fully proven for additional height.

19.4.2 Lot

A fall zone around any tower constructed as part of a telecommunications facility must have a radius at least equal to the height of the tower and any attached antennae. The entire fall zone may not include public roads and must be located on property either owned or leased by the applicant or for which the applicant has obtained an easement, and may not, except as set forth below, contain any structure other than those associated with the telecommunications facility. If the facility is attached to an existing structure, relief may be granted by specific permission of the Planning Board, on a case-by-case basis, if it is determined by such Board after submission of competent evidence that the waiver of this requirement will not endanger the life, health, welfare or property of any person. In granting any such waiver, the Board may impose any conditions reasonably necessary to protect the public or adjacent property from potential injury.

19.4.3 Aesthetics and Environmental Considerations

Telecommunications facilities shall be located and buffered to the maximum extent that is practical and technologically feasible to help ensure compatibility with surrounding land uses. In order to minimize adverse aesthetic effects on neighboring residences the Planning Board may impose reasonable conditions on the applicant, including the following:

1. The Planning Board may require reasonable landscaping consisting of trees or shrubs to screen the base of the tower and accessory structures to the maximum extent possible from adjacent residential property. Existing on-site trees and vegetation shall be preserved to the maximum extent possible.
2. The Planning Board may require that the tower be designed and sited so as to avoid, if possible, application of Federal Aviation Administration (FAA) lighting and painting requirements, it being generally understood that towers should not be artificially lighted except as required by the FAA.

3. The tower shall be of galvanized finish or painted matte gray, unless otherwise required by the FAA, and accessory facilities should maximize use of building materials, colors and textures designed to blend with the natural surroundings.
4. No tower, accessory facility, or fencing shall contain any signs not mandated by the Federal Communications Commission (FCC).
5. Towers shall be designed to minimize the impact on migratory birds and other wildlife.

19.4.4 Access and Parking

A road turnaround and two (2) parking spaces shall be provided to assure adequate emergency and public access. Maximum use of existing roads, public or private, shall be made. Road construction and public utility services at the site shall at all times minimize ground disturbance and vegetation cutting, and road grades shall closely follow natural contours to assure minimal visual disturbance and reduce the potential for soil erosion.

19.4.5 Safety and Security

All towers and guy anchors, if applicable, shall be enclosed by a fence not less than six (6) feet in height or otherwise sufficiently secured to protect them from trespassing or vandalism. The applicant must comply with all applicable state and federal regulations including, but not limited to, FAA and FCC regulations.

Every five years the owner shall provide a certification from a qualified, licensed engineer certifying that the tower or telecommunications facility meets applicable structural safety standards.

19.4.6 Shared Use of Towers

In the interest of minimizing the number of towers, the Planning Board may require, as a condition of either site plan or tower permit approval, that the applicant indicate in writing a commitment to co-location of telecommunications facilities and to provide to the Planning Board's satisfaction the same.

19.5 Filing Application

The applicant will submit a written application for such a permit with the Code Enforcement Officer. The applicant will submit such information and documents as the Code Enforcement Officer or any other officer or Town agency having jurisdiction may require. Included in these documents must be a development plan and copies of all documents submitted by the applicant to the Federal Communications Commission or any other governmental agency having jurisdiction. Furthermore, the applicant shall submit an Environmental Assessment Form (Long Form) with Visual Addendum and an analysis demonstrating that the location of the telecommunications facility as proposed is necessary to meet the frequency, reuse and spacing needs of the applicant's telecommunications system and to provide adequate service and coverage to the intended area. In addition, each applicant shall submit to the Planning Board a site plan, prepared to scale and in sufficient detail and accuracy and including at the minimum the following materials:

19.5.1 Site Plan

The applicant shall submit to the Planning Board the following materials:

1. exact location of the proposed telecommunications facility and/or tower, including geographic coordinates, together with any guy wires and guy anchors, if applicable;
2. the maximum height of the proposed telecommunications facility and/or tower, to include all appurtenances;
3. the details of tower type, to include engineering drawings from tower manufacturer (monopole, guyed, freestanding or other);
4. location, type and intensity of any lighting on the tower;
5. property boundaries and names of adjacent landowners;
6. proof of the landowner's consent to abide by the ordinance if the applicant does not own the property;
7. location of all other structures on the property and all structures on any adjacent property within 100 feet of the property lines, together with the distance of those structures from any proposed tower;
8. location, nature and extent of any proposed fencing, landscaping and/or screening; and
9. location and nature of proposed utility easements and access road, if applicable.

For the area within construction area, the applicant shall show:

1. topographical layout in ten (10) foot increments;
2. all bodies of water and streams;
3. existing and proposed drainage;
4. proposed grading plans;
5. location of all trees over eight (8) inches in diameter B.H.; and
6. construction plans and elevation drawings of the proposed project.

At the time the applicant is notified of the Public Hearing date, he or she will be required to obtain signage provided by the Planning Board by way of the Code Enforcement Officer to be posted at the site by the applicant in such a manner as to be readily visible to the public from the nearest adjacent public road at least ten (10) days prior to the Public Hearing.

19.5.2 Application

The applicant shall submit to the Planning Board the following materials:

1. A report from a professional engineer, which shall:
 - a. describe the tower and the technical, economic and other reasons for the tower design;
 - b. demonstrate that the tower is structurally sound;
 - c. describe how many and what kind of antennas are proposed;
 - d. describe how many and what kind of antennas are possible on the tower;
 - e. demonstrate that the site can contain on-site substantially all ice fall or debris from tower failure;
 - f. demonstrate that the proposed electromagnetic radiation will not exceed the levels for the environment recommended by the Federal Communications Commission in FCC 96-326,

- Table 1, "Limits for Maximum Permissible Exposure," and including current limits set by the FCC at time of application, at the following locations:
- base of the tower or point near the tower with the highest radiation levels,
 - the nearest point on the property line, and
 - the nearest habitable space regularly occupied by people.
2. A copy of the applicant's FCC license, including any requirements from the FAA.
 3. A copy of the certificate of need issued by the Public Service Commission.
 4. A letter of intent committing the tower owner applicant and/or landowner to negotiate in good faith for shared use by third parties. This letter, which shall be filed with the Building Inspector prior to the issuance of a building permit (assuming the telecommunications tower is approved), shall commit the tower owner and his or her successors in interest to:
 - a. respond in a timely, comprehensive manner to a request for information from a potential shared-use applicant;
 - b. negotiate in good faith for shared use by third parties;
 - c. allow shared use if an applicant agrees in writing to pay charges; and
 - d. make no more than a reasonable charge for shared use, based on generally accepted accounting principles. The charge may include but is not limited to a pro rata share of the cost of site selection, planning, project administration, land costs, site design, construction and maintenance, financing, return on equity and depreciation, and all of the costs of adapting the tower or equipment to accommodate a shared user without causing electromagnetic interference or causing uses on the site to emit electromagnetic radiation in excess of levels described above.
 5. Evidence that existing facilities or structures, within the technically feasible area, do not have space on which planned equipment can be placed so as to function effectively. This shall include the following:
 - a. the applicant shall contact the owners of all existing or approved towers within a ten (10) mile radius of a proposed site;
 - b. the applicant shall provide each contacted owner with the engineer's report required above; and
 - c. the applicant shall request each contacted owner to assess the following:
 - i. whether the existing tower could accommodate the antenna to be attached to the proposed tower without causing structural instability or electromagnetic interference;
 - ii. if the antenna cannot be accommodated, assess whether the existing tower could be structurally strengthened or whether the antennas and related equipment could be protected from interference;
 - iii. whether the owner is willing to make space available; and
 - iv. the projected cost of shared use.
 6. Visual Environmental Assessment Form (EAF) addendum to the full EAF.
 - a. The applicant shall indicate how the structure can be blended with the viewshed, including any attempts at camouflage;
 - b. The Planning Board may require submittal of a more detailed analysis based on the results of the Visual Environmental Assessment Form addendum.
 7. Application fee as established by Town Board Resolution.
 8. Application shall provide a five (5) year plan for build-out with propagation studies.

9. Analysis of alternative sites that includes a preliminary viewshed analysis.
10. Names, addresses, and phone numbers of the applicant, land owner, engineering consultant, and service provider.

The Building Inspector will not be required to proceed under this law until an application is complete and application fee is paid as set by the Town Board.

19.6 Planning Board Procedure

After the applicant has filed all documents and supplied all the information required by the Building Inspector, but not later than 30 days from the date a completed application is filed, the Building Inspector shall file such application and all other documents with the chair of the Planning Board, who shall place the application on the agenda of the next meeting of the Planning Board.

The application shall be reviewed at such meeting and the chair shall set a date for a public hearing, notice of which shall be (a) posted and (b) published at least once in the official newspaper, the first publication of which shall be at least ten (10) days prior to the date set for the public hearing and (c) mailed to owners of property lying within one thousand (1,000) feet of the proposed site and to such other owners of property in the vicinity of the proposed site as the chair of the Planning Board shall determine, at the applicant's cost. It shall be sufficient if the determination of the ownership is based on the current assessment roll and the assessment map, but the failure to notify all such owners shall not render defective any action of the Planning Board.

The date of said public hearing shall be within the requirements set forth in Town Law and the State Environmental Quality Review Act from the date on which the completed application was filed with the chair of the Planning Board.

The Planning Board may at any stage of the proceedings require additional information, documents or testimony, and may adjourn final consideration of its recommendation for a reasonable period for the foregoing purpose and for further study and review, but no more than 60 days after the first date set for the public hearing.

If the Planning Board requires the assistance of a consultant to evaluate the application, the reasonable fees for consultation required by the Planning Board to evaluate the application shall be borne by the applicant.

The special permit may be granted, denied, or granted with conditions by the Planning Board.

19.6.1 Planning Board Criteria

The Planning Board, before rendering its decision, shall consider the following standards and matters:

1. The proposed structure is necessary to meet current or reasonably expected demands for services in the community.
2. The application significantly demonstrates that alternative sites were evaluated.
3. The application conforms to all federal and state laws and all applicable rules or regulations promulgated by the FCC, the FAA and other federal agencies having jurisdiction.
4. The proposed structure is considered a public utility in the State of New York.

5. The proposed structure is sited, designed and constructed in a manner which minimizes:
 - a. visual impact to the extent practical; and
 - b. adverse impact upon migratory birds and other birds and wildlife.
6. The application complies with all other requirements of this Ordinance, unless expressly superseded herein.
7. The site is the most appropriate choice among the sites available within the technically feasible area for the location of a telecommunications facility.
8. In considering construction of a new tower, such tower is designed to accommodate future shared use by at least two (2) other telecommunication service providers. Any subsequent location of telecommunication equipment by other service providers on existing towers specifically designed for shared use shall not require a new or modified special permit if there would be no increase in the height of the tower and if the tower's original design was adequate to accommodate the proposed additional equipment. However, the proposed structure will require a site plan review and issuance of a building permit before construction occurs. At the discretion of the Code Enforcement Officer there may be required, before issuance of a building permit, an engineer's certificate or report to the effect that with the proposed additional equipment the existing tower continues to be safe and meets all then currently applicable design and construction criteria in accordance with generally accepted good engineering practices and generally accepted industry standards.
9. The size of the site chosen for the proposed use. The tower must be located on an unoccupied parcel having an area of sufficient size that no part of the tower will fall on a neighboring property should the structure collapse.

19.7 Building Permits

No building permit shall be issued until final approval has been granted to the applicant by any county, state and federal agency having jurisdiction in the matter and any and all other permits which may be required have been issued to the applicant.

19.8 Limited Permit

Any permit granted under this section shall be valid only for the dimensions and number of antennas or towers in the original application. A new application must be submitted to the Planning Board for any changes.

19.9 Removal Provisions

1. At the time of submittal of the application for a special permit for a telecommunications facility, the applicant shall submit an agreement to remove all antennas, driveways, structures, buildings, equipment sheds, lighting utilities, fencing, gates, accessory equipment or structures, as well as any tower(s) designated solely for use within a telecommunications facility if such facility becomes technologically obsolete or ceases to perform its original intended function for more than twelve (12) consecutive months. Upon removal of said facility, the land shall be restored to its previous condition, including but not limited to the seeding of exposed soils.

2. At the time of obtaining a building permit, the applicant must provide a financial security bond for removal of the telecommunications facility and restoration of the property, with the municipality as the assignee, in an amount approved by the Planning Board, but not less than fifty thousand dollars (\$50,000).
3. In instances of modification of the special permit, the Planning Board may adjust the required amount of the financial security bond to adequately cover increases in the cost of the removal of the telecommunications facility and the restoration of the property.

Article XX — Nonconformance

20.1 Continuation of Existing Uses

Except as provided for in [Article XVII, Section 17.4.7](#) and elsewhere in this Article, any use of land or building or part thereof, existing at the time this ordinance becomes effective, may be continued although such building or use does not conform to the provisions of this ordinance, as a legal nonconforming use.

20.2 Abandonment of Use

When a legal nonconforming use has been discontinued for a period of at least one (1) year, it shall not thereafter be reestablished irrespective of the reasons for such discontinuance or the intent of the owner of the premises or any other person. All future uses of the lot, parcel, building or part thereof shall conform to the provisions of this ordinance.

20.3 Alterations

No nonconforming building shall be altered or extended except as authorized by the Board of Zoning Appeals.

20.4 Changes and Restorations

A nonconforming use may be changed to a conforming use; however, thereafter it shall not again be changed back to the prior nonconforming use.

Nothing shall prevent the substantial restoration of a nonconforming use to its former condition or better, within six (6) months, and the continued use of a nonconforming building damaged less than 85 percent of the market value of the building immediately prior to such damage by fire, flood, earthquake, act of God or the public enemy.

20.5 Repairs To and Maintenance of Nonconforming Buildings

On any nonconforming building, ordinary repairs may be made, and any nonbearing walls, fixtures, wiring or plumbing may be repaired or replaced, provided that the cubic content of the building as it existed at the effective date of this ordinance shall not be increased.

Nothing in this ordinance prevents the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

Article XXI — General Provisions

21.1 Building Floor Area

No primary dwelling unit in any district shall be erected, created or altered to provide for less than 750 square feet of enclosed livable floor area, exclusive of garage or carport.

Trailers or campers with less than 500 square feet of floor area may be used as a temporary accessory residence, adjoining a permanent residence or private recreational area, for periods not exceeding six (6) weeks in any three (3) month period, or in any duly authorized campground.

Trailers or campers may be used as a temporary residence or office on a construction site for a period not to exceed one (1) year.

21.2 Existing Lots

Other provisions of this ordinance notwithstanding, nothing shall prohibit the use of a lot of less than the required area for a single-family dwelling in any district, when said lot at the enactment of this ordinance was owned or leased by persons other than those owning or leasing any adjoining lot, provided that all other provisions of this ordinance are complied with.

The above notwithstanding, any lot that is deemed conforming to the prior Town of Ulysses Zoning Ordinance, or was created prior to any local zoning law but now is deemed nonconforming, shall not require the approval for an area variance by the BZA should said lot meet all setback, front and rear yard requirements of this Zoning Law.

21.3 Open Porches

In determining the size of yards for the purpose of this ordinance, porches or carports, open at the sides but roofed shall be considered a building or part of a building.

21.4 Fences and Walls

The provisions of this ordinance shall not apply to fences or walls built or maintained in support of agricultural operations, or not over six (6) feet above the natural grade, nor to terraces, steps, patios, unroofed porches or decks, or other similar features not over three (3) feet above the level of the natural grade, except for the restrictions set forth in Section 21.5 below.

21.5 Corner Visibility

In any zoning district, no structure, fence, sign or planting over three (3) feet in height, measured from the center of the adjacent road or highway, shall be maintained in any corner lot within a triangular area formed by the lot lines along the street to a point on such lines a distance of 30 feet from their intersection, and a line connecting such points. Any fence or planting that does not conform to the requirements of this Section shall be made to conform within one (1) year from the date this ordinance becomes effective.

21.6 Projections in Yards

Every part of a required yard shall be open from its lowest point to the sky, except for the ordinary projection of sills, belt courses, pilasters, leaders, chimneys, cornices, eaves and ornamental features, provided that no such projection extends more than two (2) feet into any required yard.

Bays, including their cornices and eaves, may not extend more than two (2) feet into any required yard provided that the sum of such projections on any wall shall not exceed one-third (1/3) the length of such wall.

An open fire balcony or fire escape may extend not more than four (4) feet into any required yard.

21.7 Reduction of Lot Area

Whenever a lot upon which stands a building is changed in size or shape so that the area and yard requirements of this ordinance are no longer complied with, such building shall not thereafter be used until it is altered, reconstructed or relocated so as to comply with these requirements. The provisions of this Section do not apply when a portion of a lot is acquired for public purpose.

21.8 More Than One Building on a Lot

When there is more than one principal building on a lot in any zoning district, the space between such buildings shall be at least equal to the sum of the side yards required by such buildings if built in the respective side yard of each other; or the sum of the rear and front yards if built in the respective front or rear yard of each other.

In no case, however, shall either building encroach upon any required front, side or rear yard setback areas of the lot.

21.9 Accessory Buildings

Except in the H1–Hamlet District, no accessory building may occupy more than twenty (20) percent of any required yard setback and in no case shall exceed twenty (20) feet in height. For lots abutting Cayuga Lake, a boathouse in the front yard shall be a permitted accessory use.

For the purposes of this law, tractor trailers, shipping containers, PODs, and similar structures are not considered to be accessory buildings.

21.10 Abandoned Cellar Holes and Destroyed or Derelict Buildings

If excavation for a building has begun, but no structure built by the time one (1) year has elapsed, any such excavation shall be covered over or refilled to the normal grade by the owner.

Any building substantially destroyed by any cause shall be rebuilt or demolished within one (1) year. For the purpose of this ordinance, “substantially destroyed” shall mean damage in excess of 50 percent of the replacement cost of the building in its entirety.

Any excavation or cellar hole remaining after the demolition or destruction of a building from any cause shall be covered over or filled by the owner within one year.

Fencing or similar safety measures shall be provided around excavations, derelict buildings, damaged structures, construction sites and other hazardous sites, immediately upon the determination by the Code Enforcement Officer that such action is necessary in the interest of public safety.

If a property owner fails to comply with any of the provisions of this Section he or she shall be subject to the penalties provided for in [Article II, Section 2.3](#).

21.11 Abandoned Wells

Any abandoned well, cesspool, septic tank or other underground tank or chamber shall be backfilled, covered or otherwise secured in a manner that precludes unauthorized or accidental entry or entrapment.

21.12 Discontinuance of Junkyards, Open Storage, Automobile Sales Lots

Notwithstanding any of the provisions of this law, any motor vehicle or other junk yard, including an open area for the outdoor storage of motor vehicles, used building materials, scrap metal, plastic, paper, rags, glass, broken appliances such as stoves, etc., refuse and other debris for any purpose in existence in any district shall be discontinued. The Board of Zoning Appeals, however, may grant a special permit for the continuation of such use, pursuant to the provisions of [Article III, Section 3.2](#). Farm operations within a County-adopted, state-certified agricultural district where such materials are generated by or used in an ongoing agricultural operation are exempt from this provision.

Any automobile sales lot or any billboard or nonconforming sign or advertising device in existence in any A1–Agricultural, R1–Rural Residence, R2–Moderate-Density Residence, RM–Multiple-Residence, or H1–Hamlet District at the enactment of this ordinance shall be discontinued within one (1) year of enactment of this ordinance, and shall not be considered a legal nonconforming use.

No lot may contain one (1) or more abandoned, partially dismantled or nonoperative motor vehicles in any open area. Farm operations within a County-adopted, state-certified agricultural district where such materials are generated by or used in an ongoing agricultural operation are exempt from this provision.

No lot may contain in any open area more than one (1) unregistered automobile, truck or other motor vehicle subject to registration with the New York State Department of Motor Vehicles. Farm operations within a County-adopted, state-certified agricultural district where such materials are generated by or used in an ongoing agricultural operation are exempt from this provision.

21.13 Power Generation Facilities or Structures

Requires a Special Permit from the Town Board.

21.14 Singlewide Manufactured Homes

Singlewide manufactured homes are permitted only in the MHP District.

Index

- A1–Agricultural District.....
See Agricultural District
- A2–Special Agricultural District..... *See* Special Agricultural District
- Abandoned wells 139
- Accessory buildings,
 general provisions 138
- Adult entertainment
 business standards 91
- Agricultural commerce
 Standards 101
- Agricultural District 35
 Lot area and yard
 requirements 37
 Permitted uses 35
- Animals in residential areas,
 standards..... 92
- Area variance..... 7
- Automobile Business —
 David Kline 75
- Automobile sales lots
 Discontinuance..... 139
- B1–Business District *See*
 Business District
- Board of Zoning Appeals .. 7
- Body shops 97
- Boundaries..... 5
- Buffer areas 90
 Stream protection buffer
 90
 Visual screening buffer
 90
- Building Code..... 4
- Building floor area, general
 provisions 137
- Building permits 4
 Telecommunications
 facilities 133
- Business District..... 59
 Buffer areas 61
 Building Permits 61
 Lot area and yard
 requirements 61
 Permitted uses 59
- Campgrounds standards.. 92
- Campgrounds, overnight. 93
- Campgrounds, seasonal .. 92
- Cellar holes 138
- Certificate of Compliance
 or Occupancy..... 5
- Cluster Subdivision
 Definition 105
- Cluster Subdivisions 117
- Communication transmis-
 sion towers..... *See* Tele-
 communications facilities
- Conformance..... 3
- Corner visibility, general
 provisions 137
- Cul-de-sac
 Definition 106
- Date of submission
 Definition 105
- Dead-end road
 Definition 106
- Definitions
 General zoning terms.. 19
 Subdivision..... 105
 Telecommunications
 facilities..... 127
- Definitions, Access 106
- Design standards..... 81
- Destroyed or derelict
 buildings 138
- Development District..... 69
 Automobile Business —
 David Kline 75
 Establishment 69
 Existing..... 69
 Finger Lakes–Seneca
 Cooperative Insurance
 Company 77
 Flo-Tech 80
 Koskinen Auto Repair 76
 Moore’s Outboard Sales
 and Service..... 78
 Podunk Ski Shop 71
 Rezoning..... 16
- Spruce Row
 Campgrounds 69
 Stover Saw Mill 73
- Elder cottage housing
 standards 94
- Enforcement..... 3
- Environmental performance
 standards 81
 Noise..... 81
 Odors 81
 Yards..... 81
- Existing lots, general
 provisions..... 137
- Extractive industry
 standards 95
- Fees 4
- Fences and walls, general
 provisions..... 137
- Final plat
 Definition..... 105
- Final Subdivision Plat
 Definition..... 105
- Finger Lakes–Seneca
 Cooperative Insurance
 Company..... 77
- Flag lots standards..... 97
- Flo-Tech 80
- Gasoline sales stations ... 97
- H1–Hamlet District..... *See*
 Hamlet District
- Hamlet District..... 53
 Buffer areas..... 55
 Lot area and yard
 requirements 55
 Permitted uses 53
- Health Department *See*
 Tompkins County Health
 Department
- IL–Light Industry District
 *See* Light Industry
 District
- Illuminating Engineering
 Society of North America
 (IESNA)..... 90
- Inspections 6

Junkyards		Lot area and yard
Discontinuance	139	requirements.....
Koskinen Auto Repair.....	76	Permitted uses
Light Industry District.....	63	Sawmills
Buffer areas	65, 68	Self-service storage facility
Building permits	65
Lot area and yard		Signs
requirements	64	Business directional
Permitted uses.....	63	signs
Local laws	6	Illumination
Lot area reduction, general		in A1, B1 and IL
provisions	138	Districts.....
Major Subdivision.....		in R1, R2, RM, and MHP
<i>See</i> Subdivision, Major		Districts.....
Manufactured Home Park		in the H1 District.....
District	51	Nonconforming
Buffer areas	52	Standards.....
Lot area and yard		Signs in any district
requirements	52	Simple Subdivision.....
Permitted uses.....	51	<i>See</i> Subdivision, Simple
Manufactured home parks		Simple Subdivision review
Standards	97	procedure.....
MHP–Manufactured Home		Site Plan
Park District... <i>See</i> Manu-		Telecommunications
factured Home Park		facilities.....
District		Site Plan application
Minor Subdivision		Telecommunications
<i>See</i> Subdivision, Minor		facilities.....
Moderate-Density		Site Plan Review.....
Residence District.....	45
Buffer areas	47	Criteria.....
Lot area and yard		Sketch Plan Conference..
requirements	46	Sketch Plat
Permitted uses.....	45	Definition
Modifications to Approved	
Site Plans	16	Special Agricultural District
Moore’s Outboard Sales		Buffer areas
and Service	78	Lot area and yard
Multiple-Residence District		requirements.....
.....	49	Permitted uses
Buffer areas	50	Special permits
Lot area and yard		Spruce Row Campgrounds
requirements	50
Permitted uses.....	49	Stables, commercial
Standards for land		Standards
development	99	Stover Saw Mill.....
New York State Uniform		Subdivision
Building Code.....	4	Major.....
Nonconformance.....	135	Major, Definition.....
Open storage		Minor.....
Discontinuance	139	Minor, Definition
		Procedures
		Simple
Outdoor lighting standards		
.....	88	
Minimum required levels		
(table).....	89	
Park/Recreation District..	67	
Lot area and yard		
requirements	68	
Permitted uses	67	
Parking standards	82	
Penalties	3	
Planning Board.....	10	
Podunk Ski Shop.....	71	
Porches, general provisions		
.....	137	
Power generation facilities		
.....	139	
Preliminary Plat		
Definition	106	
Projections in yards, general		
provisions.....	138	
PR–Park/Recreation District		
..... <i>See</i> Park/Recreation		
District		
Public garages	97	
R1–Rural Residence		
District	<i>See</i> Rural	
Residence District		
R2–Moderate-Density Resi-		
dence District	<i>See</i>	
Moderate-Density Resi-		
dence District		
Radio and telecommunica-		
tions towers.....	4	
Reverse frontage lot		
Definition	106	
Rezoning	16	
Right to farm	35	
RM–Multiple-Residence		
District	<i>See</i> Multiple-	
Residence District		
Road		
Definition	106	
Major, definition	106	
Minor, definition.....	106	
Road pavement		
Definition	106	
Road width		
Definition	106	
Roadside stands.....	100	
Rural Residence District..	41	
Buffer areas.....	43	

Simple, Definition.....106
 Subdivision regulations .103
 Subdivision, Major
 Review108
 Subdivision, Minor
 Review108
 Subdivisions
 Design standards118
 Drainage improvements
123
 General requirements 118
 Lots123
 Natural features124
 Open spaces.....124
 Parks.....124

Public streets 117
 Recreation areas 117
 Required improvements
 115
 Road considerations . 118
 Road design 120
 Road names 122
 Uncompleted 104
 Waivers..... 125
 Swimming pools 4
 Standards for residential
 99
 Telecommunications
 facilities 127
 Exemptions 127

Removal provisions .. 133
 Standards 128
 Tompkins County Health
 Department 4
 Towers..... *See* Telecom-
 munications facilities
 Town right-of-way
 (unimproved)
 Definition..... 106
 Town’s Engineer 107
 Uniform Building Code
See New York State
 Uniform Building Code
 Use variance..... 8
 Zoning districts 5