

FREQUENTLY ASKED QUESTIONS REGARDING LAKESHORE ZONING

1. Why is Ulysses revising the Lakeshore zoning?

In 2009 the Town adopted a new Comprehensive Plan. The Comprehensive Plan is a document that guides planning and zoning decisions into the future. The goals and objectives are based on resident input gathered through workshops and surveys conducted during the three-year process of drafting the plan. The Town-wide survey, developed by the Survey Research Institute at Cornell University, was conducted in 2007 had a 32% response rate, and included residents from throughout the Town.

The Comprehensive Plan is the basis for the Town's zoning laws and amendments. The Town Board's responsibility is to consider and adopt zoning laws that are in accordance with the Comprehensive Plan and which promote the health, safety and welfare of the entire town and all its residents.

The 2009 Comprehensive Plan is available here: www.ulysses.ny.us/tou-comp-plan-2009.pdf

Related to the Lakeshore Area, the Plan concluded:

- a. Residents feel it is important to protect the town's natural and environmental resources (pp. 74-76).
- b. The Plan encourages protection of sensitive areas such as steep slopes leading down to the lake, wetlands, Unique Natural Areas (UNAs), mature forests and wildlife habitats (pp.19-20 Obj.1.1 B.).
- c. The Plan calls for the Town to apply for legislative authority from NY State to enact regulations concerning boathouses, moorings and docks on Cayuga Lake on or near the Ulysses shoreline (p. 19, Obj.1.1 D.).
- d. The Plan suggests enacting zoning regulations to protect the Cayuga Lake waterfront and ensure development that is consistent with the lakefront's existing character and compatible with the natural environmental features (p. 19, Obj.1.1 E.).
- e. In reference to the lakeshore area, the Ulysses Comprehensive Plan stipulates, "The environmental sensitivity of this area demands establishing strong zoning regulations to guide appropriate scale development and protect the significant natural resources of the area. In order to implement protection of this area, the Town should consider a number of mechanisms including overlay zones, septic testing, size and density limitations on all structures, and incorporation of design standards for docks and accessory buildings to the Town's Zoning Law" (p. 44).

- f. Review and revise the existing Town regulations to more adequately protect streams in the Town through buffer zones and setbacks (p. 20, Obj. 1.2 A.)
- g. Protect defined wetlands and establish appropriate buffer zones (p. 20, Obj. 1.2 C.).

The Comprehensive Plan also states that access to the lake “for recreational purposes should be promoted” (p. 44). The Town is working to establish a Marina District for the Ithaca Yacht Club property so that this unique and special asset continues as a community resource rather than be developed or continue as a nonconforming use with no options for expansion.

The property owned by the Girl Scouts will remain as PR-Park/Recreation District that will help ensure the property continues as a Girl Scout camp.

2. Is my property “Grandfathered”?

Zoning is a tool to guide FUTURE development but it is not designed to affect existing structures. If a structure exists at the time a new zoning regulation is adopted and that structure could not be built because the new zoning’s lot dimension requirements, the structure is considered “grandfathered” or “legally nonconforming.”

Grandfathering is addressed in the Ulysses zoning under the term “Nonconformance” (Article XX). The Town Board is proposing new language to better explain nonconforming structures and nonconforming uses (or occupancy)

Please refer to the Town’s website for Nonconformance FAQs, draft Local Law, and a slide show and examples to clarify the current policy.

3. What is the history of lakeshore zoning in Ulysses?

Zoning has been in effect in Town of Ulysses for decades. With the adoption of the Comprehensive Plan in 2009, the Town began the process of updating the zoning as reflected in the Future Land Use Plan (p. 39). In 2009, the Town chose to focus first on revising zoning of the Conservation Area (west of Route 89) and the Lakeshore Area (adjacent to Cayuga Lake). The Planning Board worked on zoning language for the Conservation District, where the purpose is to protect the environmental sensitivity of the area with its numerous officially designated Unique Natural Areas.

The draft Conservation Zone document is available on the town’s website at Ulysses.ny.us/departments/zone/, and awaits a public hearing before the Town Board considers it for approval. The process by which the draft was developed was open to the public and has thus far included two public information sessions.

In the Comprehensive Plan, the land between the Conservation Area and Cayuga Lake is referred to as the Lakeshore Area. In December 2009, the Town Board sanctioned a Lakeshore Zoning Subcommittee to conceptualize and draft a Lakeshore Zoning District, similar to the draft Conservation District. The subcommittee included lakeshore property owners as well as members of the Town Board, Planning Board, and Board of Zoning

Appeals. The subcommittee presented their work to the Town Board in September 2011, and the Town Board then referred the draft to the Planning Board for additional review. The Planning Board finished their review in May 2012 and presented it again to the Town Board. To be as inclusive as possible in gathering public input on the proposed Lakeshore Zoning District, a Public Information session was held in October 2012.

At least 50 residents participated in the Public Information meeting and raised many questions and concerns. Responding to public comments, the Town Board created an Ad Hoc Zoning Committee, which included representatives from both the Ulysses Lakeshore Association and the West Shore Homeowners Association, and was charged with reviewing areas of concern. The Committee's meeting minutes are on the town website. They completed their review of the public comments and presented their draft of zoning for the Lakeshore District on June 13, 2013.

4. What does the revision process look like moving into the future?

The Town Board has been working through the Draft Lakeshore District language and has incorporated a number of changes to be responsive to lakeshore residents' concerns. Updated drafts are posted to the Town website. Because there have already been two public information meetings on the draft zoning, when the Town Board completes its review, a final draft will be released for the official Public Hearing.

To date, the Lakeshore District has been a stand-alone document for ease of review but all the final language must be incorporated into the rest of the Town of Ulysses zoning law, <http://ulysses.ny.us/pdf/zoning-law-2007.pdf>. Again, residents will be able to comment prior to the final adoption of the zoning.

The public is welcome to submit comments at any point. Comments may be submitted in writing, orally during the *Privilege of the Floor* during Town Board meetings, or by phone to any of the Town Board members, the Town Clerk, or the Zoning Officer.

All meetings are open to the public. Agendas are posted on the Clerk's bulletin board or on the website, and for those without internet access, this information is available from the Town Clerk at 387-5767.

5. Who can I contact about my questions?

- Speak or submit written comments at Town Board meetings;
- Submit written comments to the Town Clerk at touclerk@twcny.rr.com or mail to Ulysses Town Hall, 10 Elm St., Trumansburg, NY 14886;
- Talk to the Zoning Officer, Darby Kiley at 387-9778 ext. 222 or Ulysses.planner@gmail.com.
- Talk to the Town Supervisor or a Town Board member. For names and contact information, go to the Town website at <http://www.ulysses.ny.us/council/boards-town>.

*****What question would like for us to answer?*****