

PUBLIC HEARING

Local Law 2 of 2015: Code Adoption

Town of Ulysses

October 27, 2015

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

The hearing was held at the Ulysses Town Hall at 10 Elm Street, Trumansburg.

PRESENT:

Supervisor- Liz Thomas
1st Deputy Supervisor- Nancy Zahler
Board members- Dave Kerness, Rich Goldman, John Hertzler
Clerk- Carissa Parlato
Environmental Planner- Darby Kiley

OTHERS PRESENT:

Greg Reynolds, Phil Antweiler, Art Berkey, Lin Davidson, Michael Boggs

ABSENT:

2nd Deputy Supervisor- Michelle Wright

CALL TO ORDER:

Ms. Thomas called the hearing to order at 6:30 p.m. and introduced the other town officials in attendance.

SUBJECT OF THE HEARING:

Ms. Thomas announced the subject of the hearing:

A local law to provide for the codification of the local laws, ordinances and certain resolutions of the Town of Ulysses into a municipal code to be designated the "Code of the Town of Ulysses"

The proposed Local Law will codify the Town's local laws, ordinances and certain resolutions into a municipal code. The local law includes the following:

1. States the legislative intent of the Town Board in adopting the Code.
2. Provides for the designation of the local laws, ordinances and certain resolutions of the Town of Ulysses as the "Code of the Town of Ulysses."
3. Repeals local laws and ordinances of a general and permanent nature not included in the Code, except as provided.
4. Saves from repeal certain local laws and ordinances and designates certain matters not affected by repeal.
5. Retains the meaning and intent of previously adopted legislation.
6. Includes revisions to the Town of Ulysses Zoning Law:
 - Adds a new section on enforcement (penalties for offenses);
 - Revises the building permits section;
 - Adds review of variance applications by the Planning Board;
 - Corrects Town Law and Building Code references;
 - Revises the site plan review procedure;
 - Adds the definition of domestic livestock;
 - Revises the definitions of family and nonconforming;
 - Revises the tree removal and land disturbance language in the Lakeshore, Conservation, and Marina Districts;
 - Removes the use "Communication transmission towers and telecommunications facilities" in the Marina District;
 - Revises the standards for animals in residential areas;
 - Revises the simple subdivision procedure;
 - and includes other editorial changes.
7. Provides for the filing of a copy of the Code in the Town Clerk's office.
8. Provides for certain changes in or additions to the Code.
9. Prescribes the manner in which amendments and new legislation are to be incorporated into the Code.
10. Requires that Code books be kept up-to-date.
11. Provides for the sale of Code books by the town and the supplementation thereof.

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12. Prohibits tampering with Code books, with offenses punishable by a fine of not more than \$250 or by imprisonment for not more than 15 days, or both.
13. Establishes severability provisions with respect to the Code generally.
14. Provides that the local law will be included in the Code as Chapter 1, Article I.

MEETING NOTICE:

Ms. Thomas noted that the date of this public hearing was set by resolution of the Town Board on September 22, 2015 and a notice of this hearing was published in the Ithaca Journal on October 9, 2015. Notice of the Public Hearing was mailed on October 8, 2015 to the Counties of Tompkins, Seneca, and Schuyler; the Village of Trumansburg; the Towns of Enfield, Ithaca, Lansing, Covert, and Hector; and the NYS Parks Finger Lakes Region.

Ms. Thomas made a motion to table the public hearing at 6:36pm to answer questions from the audience. This was seconded by Ms. Zahler and passed unanimously.

Mr. Kerness made a motion to reopen the hearing at 6:45pm; seconded by Ms. Zahler and passed unanimously.

PUBLIC COMMENTS:

Mr. Davidson, President of Tompkins County Farm Bureau, said that he was concerned about the language in the law as it pertains to agriculture. The statement that agricultural operations will minimize the impacts to neighbors of dust, noise, glare, odor and hours of operation seems to be in direct conflict to the letter that buyers of property sign when they move into an agricultural district.

Mr. Berkey, who is also part of Farm Bureau, seconded Mr. Davidson's comments and reiterated the importance of making sure that the code is in compliance with Ag and Markets laws.

Mr. Reynolds, Vice President of the Tompkins County Farm Bureau member and Ulysses resident, expressed concern about Right to Farm laws. He also said that he would like to see someone involved with agriculture on the Zoning Update Steering Committee. He inquired whether the town is in compliance with the law to have an active farmer on Planning Board, and if not, would this invalidate zoning laws. He asked the board to consider whether the resolution to adopt the Agriculture Farmland and Protection Plan is in line with the zoning plans. He requested that the board clarify whether the zoning laws will affect agriculture or not.

Ms. Zahler made a motion to close the hearing at 6:55pm, seconded by Mr. Kerness and passed unanimously.

Respectfully submitted by Carissa Parlato on 11/4/15.