



TOWN OF ULYSSES

PLANNING AND ZONING DEPARTMENT

STAFF MEMO

TO: Town Board
FROM: Niels Tygesen, Planner
DATE: March 15, 2024
MEETING DATE: April 9, 2024
SUBJECT: Development District 8 Proposal

INTRODUCTION

The Building Department is in receipt of a permit to re-roof an existing structure and to construct a new lean-to located at 3052 Dubois Road, [see applicant's submission including narrative letter, proposed site plan, and construction plan set](#). The subject property is zoned Development District No. 8: Boat sales, service, and storage (DD8), also known as Moore's Marine. Per the Code of the Town of Ulysses ([CTU 212-118.H.3.I](#)), 'the construction of any other buildings within [DD8] shall be considered an additional and further use for which an application must be made to the Town Board pursuant to [\[CTU\] 212-20](#)'.

The proposal to construct the lean-to, though attached to the existing structure, is considered a building by zoning code definitions and requires a building permit. Per [CTU 212-21.C](#), the word "building" includes the word "structure". Per [CTU 212-22](#), "Building" is defined as 'any structure having a roof supported by columns, posts or walls', and "Structure" is defined in part as 'anything that is constructed or erected on the ground or upon another structure or building'.

PROCESS

Though the matter is fundamentally an amendment to an approved site plan, and the regulations of CTU 212-20 are germane to rezone actions, the process is constrained to the DD8 regulation noted above that refers the proposal to the Town Board. Under the current regulations, the initial step by the Town Board is to determine whether the proposal 'merits further consideration'. If the Town Board determines the request merits further consideration, the applicant will be directed to proceed with a sketch plan conference and the proposal will be referred to the Planning Board for further review and recommendation to the Town Board. The Planning Board will act as an advisory body only and is not required to conduct a public hearing as part of the process but may choose to do so. Once the Planning Board has issued its recommendation on the proposal to the Town Board, the Town Board will be required to conduct a public hearing and conduct environmental review prior to issuing a decision.

PLANNING STAFF RECOMMENDATIONS

Planning staff recommend the Town Board decide the proposal merits further consideration and refer the proposal to the Planning Board for further review.

REQUEST TO THE TOWN BOARD

Review the information in this memo, including the applicant's submittal items, and consider additional materials that may be needed by the Board from the applicant, staff, and/or Legal to facilitate its deliberations.