



# TOWN OF ULYSSES

## PLANNING BOARD

### Planning Board Resolution No. 2026-009

**A Resolution Recommending that the Town Board Amend the Town's Zoning Code Related to Open Development Areas**

WHEREAS, the Planning Board finds the following:

1. The Town Board has received requests from property owners to establish open development areas (ODA) for their properties in order for the Town's Building Official to be able to issue construction permits as required per the Consolidated Laws of New York (CLNY) 62.16.280-A; and
2. The Town Board has received recommendations by Town Legal to consider the creation of a local law to in part establish criteria for making decisions related to ODAs; and
3. The Town Board met on January 27, 2026 and passed Town Board Resolution 2026-050 requesting the Planning Board provide recommendations of criteria and documentation that should be considered in making a determination as to whether a parcel should be designed as an ODA; and
4. The Planning Board met on February 17, 2026, March 3, 2026, March 17, 2026, and April 7, 2026 to consider the request; and
5. There are several possible scenarios for consideration of an ODA including existing parcels that have been developed, existing parcels that are vacant, and proposed parcels part of a subdivision;

NOW, THEREFORE, THE PLANNING BOARD RESOLVES THE FOLLOWING:

1. The Planning Board recommends the Town Board amend the Town's Zoning Code to establish a process for considering ODAs for existing land locked parcels identified in the 2025 Tax Maps for Town of Ulysses that already have a principle dwelling unit on the property and as recommended in Exhibit A attached hereto.
2. The Planning Board further recommends the Town Board consider ODAs as an alternative type of subdivision when working on a Housing Action Plan and other research as needed to help implement the 2045 Comprehensive Plan.

Karl Blankenship  
Planning Board Chair

7 APRIL 2026  
Date

**Ayes:** Klankowski, Klein, Liddle, McDonald

**Nays:** None

**Absent:** None

**Abstain:** None

## Exhibit A

### Planning Board Recommendations for Code Amendments to the Town's Zoning Code Related to Open Development Areas

1. Two new definitions to be added to Chapter 212 Article IV Terminology Section 22 Definitions:
  - **Land Locked Tax Map Parcel** – an individually Tax map identified property which has no frontage on an existing street, road or highway and no frontage via a pole like a Flag lot.
  - **Open Development Area (ODA)** – A land locked tax map parcel wherein permits may be issued for the erection of residential structures or improvements, to which access is given by right-of-way or easement, upon such conditions and subject to such limitations as may be prescribed by general or special rule of the Planning Board. In accordance with the Consolidated Laws of New York 62.16.280-A subsection D, The Town Board may, by resolution, establish an open development area or areas within the Town.
  
2. A new section added, perhaps to Chapter 212 Article XXIV General Provisions, titled 'Open Development Area (ODA):
  - Intent.

The intent of this section is to provide a formal process for property owners to request an Open Development Area (ODA) and to establish specific standards related to ODAs.
  - Applicability.

This section shall only apply to legally established land locked parcels identified in the 2025 Tax Maps for Town of Ulysses that already have a legally established principal dwelling unit on the property.
  - Statutory authority.

In accordance with the Consolidated Laws of the State of New York 62.16.280-A, the Town Board of the Town of Ulysses has the authority to establish ODAs.
  - Procedure.
    - i. Property owners may submit an application to the Town Board upon forms provided by the Town Clerk. An application shall identify all town permits required by the applicable development regulations as they apply to the proposed action. Applications may be filed by a property owner or an agent acting on their behalf. At a minimum, applications shall include the following information:
      1. A completed permit application packet containing all required forms, information, and any information necessary to process the application indicated by the town.
      2. Part 1 of an environmental checklist (SEQR).
      3. A statement that the applicant is the owner of the property affected by the application or is authorized by the owner to submit the application.
      4. Documentation of the establishment of the subject parcel.
      5. A property and/or legal description of the subject parcel.
      6. Documentation of an access easement.
      7. Documentation of the establishment of the principal dwelling unit.
      8. A complete and accurate site plan or proposed plans set.
      9. Filing fee.

- ii. Fees.  
Fees shall be submitted with applications in accordance with the current fee ordinance adopted by the Town Board. An application shall not be considered complete until the required fee has been submitted.
  - iii. Request for Comments.  
The Town Board may, by resolution, request the Planning Board, Building Official, and Planner review the ODA request and provide comments and recommendations to the Town Board. The Planning Board, Building Official, and Planner shall have 30 days from the date of the Town Board resolution to submit comments to the Town Board.
  - iv. Public Notification Requirements.  
The Town Board shall provide 30-day notice of the proposed action to the applicant and all property owners subject to the access easement in addition to all other requirements for publication of a hearing notice pursuant to the laws of the State of New York.
- Standards.  
In establishing an ODA, the Town Board shall determine the following:
    - i. The subject parcel was legally established and has a legally established principal dwelling.
    - ii. The right of way granting access to the parcel(s) shall remain in place.
    - iii. The driveway will consist of asphalt, another hard surface, or gravel and will be sufficient to support the passage of emergency vehicles with at least a 20" wide entrance for each residence and from the public road.
    - iv. Trees and branches overhanging the access road shall be trimmed to accommodate vehicles approximately 13 – 14 feet tall.
    - v. House number signs shall be installed at the start of the driveway of each house in the ODA and at splits in the access road.
    - vi. Any land disturbance within the ODA shall be subject to site plan approval by the Planning Board.
    - vii. All future deeds and easements for all the parcels in the ODA shall contain the following provision: "This conveyance is made and accepted subject to the Open Development Area conditions approved by the Town Board of the Town of Ulysses on \_\_\_\_\_ (insert date)."
  - Established ODAs.  
The following ODAs have been established by the Town Board.
    - i. Town Board Resolution: ()
      - 1. Established: ()
      - 2. Addresses: ()
      - 3. Parcels: ()
    - ii. Town Board Resolution: ()
      - 1. Established: ()
      - 2. Addresses: ()
      - 3. Parcels: ()