



TOWN OF ULYSSES
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STATE OF NEW YORK}
COUNTY OF TOMPKINS} SS:
TOWN OF ULYSSES:

**RESOLUTION 2015-105:
ESTABLISHING AN OPEN DEVELOPMENT AREA FOR TAX PARCEL NUMBERS 18.-1-19.21, 18.-1-19.22, 18.-1-19.4, 18.-1-19.5, 18.-1-19.62, 18.-1-19.7, and 18.-1-19.8.**

WHEREAS, pursuant to Town Law section 280-a, a building permit cannot be issued if a property does not have access to a street or highway; and

WHEREAS, pursuant to Town Law section 280-a(4), Town Board establishment of an open development area allows for the issuance of building permits for lots that do not have access to a street or highway; and

WHEREAS, the property owner of Tax Parcel Number 18.-1-19.8 would like to pursue a building permit for a residence on the property, which is an existing nonconforming lot; and

WHEREAS, access from Taughannock Boulevard to TPN 18.-1-19.8 is via a right of way across the lands of adjacent property owners; and

WHEREAS, the same right of way and the driveway located therein also provides access from Taughannock Boulevard to TPN 18.-1-19.21, 18.-1-19.22, 18.-1-19.4, 18.-1-19.5, 18.-1-19.62, and 18.-1-19.7, and it would be in the best interest of the Town and the owners of these parcels to consider all parcels served by the same right of way for inclusion in a proposed open development area; and

WHEREAS, pursuant to Town Law section 280-a(4), on April 14, 2015, the Town Board referred the proposed establishment of an open development area for Tax Parcel Numbers 18.-1-19.21, 18.-1-19.22, 18.-1-19.4, 18.-1-19.5, 18.-1-19.62, 18.-1-19.7, and 18.-1-19.8 to the Planning Board for its advice; and

WHEREAS, the Trumansburg Fire Department and EMS recommended additional signage for house numbers, tree trimming along the access road, and a 20 foot wide entrance at the proposed residence that would allow for emergency vehicles to turn around; and

WHEREAS, at its June 16, 2015, the Planning Board approved a resolution with narrative recommendations regarding the establishment of an open development area for the above referenced parcels, subject to certain conditions; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act and its implementing regulations at 6 NYCRR Part 617, the establishment of said open development area is an Unlisted action

for which the Town of Ulysses Town Board, acting as lead agency in an environmental review with respect to the establishment of the open development area, has, on June 23, 2015, made a negative environmental determination of environmental significance, after having reviewed and accepted as adequate a Short Environmental Assessment Form Parts 1 and 2, maps, and other materials;

NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Ulysses hereby establishes an open development area for Tax Parcel Numbers 18.-1-19.21, 18.-1-19.22, 18.-1-19.4, 18.-1-19.5, 18.-1-19.62, 18.-1-19.7, and 18.-1-19.8 be established, subject to the following conditions:

- a. There shall be no future subdivision of the parcels unless the Planning Board makes a determination that the access is sufficient for any future parcels.
- b. The right of way granting access to the parcels shall remain in place.
- c. 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 new residences.
- d. Trees and branches overhanging the access road shall be trimmed to accommodate vehicles approximately 13-14 feet tall.
- e. House number signs shall be installed where the access road splits and at the start of the driveway of each house.
- f. Any land disturbance within the Open Development Area and within the Slope Overlay Area and/or Unique Natural Area is subject to Site Plan Approval by the Planning Board.
- g. All future deeds and easements for all the parcels in the Open Development Area 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 June 23, 2015."

Moved: Ms. Thomas Seconded: Mr. Kerness

Discussion:

- Mr. Kerness asked for further clarification of Fire/EMS vehicle turnaround capability.
- Ms. Zahler wished to clarify section f. The Town Board recently approved guidelines to better define "disturbance."
- Mr. Goldman and Ms. Zahler thanked the members of the Planning Board for their thoughtful consideration of this issue.
- Mr. Kerness wondered whether other residents of the West Shore with shared driveways would be notified of the Fire Chief's recommendations to install clearer signage to direct emergency vehicles.
- Ms. Zahler will be sending information to Nancy Cool to distribute through the West Shore list serve.

Vote: 5-0

Date Adopted: 6/23/15