
Section 4

Examples of Local Law Revision: Middlesex, Ulysses, Groveland

Case Studies

A. Town of Middlesex, Yates County

(Canandaigua Lake Watershed)

The Town of Middlesex lies within the central eastern portion of the Canandaigua Lake watershed. The Town covers an area of 30.3 square miles, 92.3 percent of which lies within the Canandaigua Lake watershed. Middlesex has approximately 7.5 miles of shoreline on Canandaigua Lake.

According to the 2000 Census, the Town of Middlesex contains 1,345 people. The Town experienced a population increase of 37.9 percent between 1960 and 1980 and an increase of 19.3 percent between 1980 and 2000. The median age in Middlesex is 41.1 years and the average household size is 2.52 persons. Median household income is \$43,618, with a poverty rate of 3.4 percent. There are 732 housing units in the Town, 12.7 percent of which have been built since 1990. The median value of owner-occupied homes is \$72,500.

The Town of Middlesex has several laws that regulate land use and development and help the Town protect the water quality of Canandaigua Lake. By reviewing the results of the Nonpoint Assessment, and taking local priorities into account, the Town determined that developing a Subdivision Law was of primary importance. Developing a good Subdivision Law was particularly important in light of past problems with multi-lot development (especially

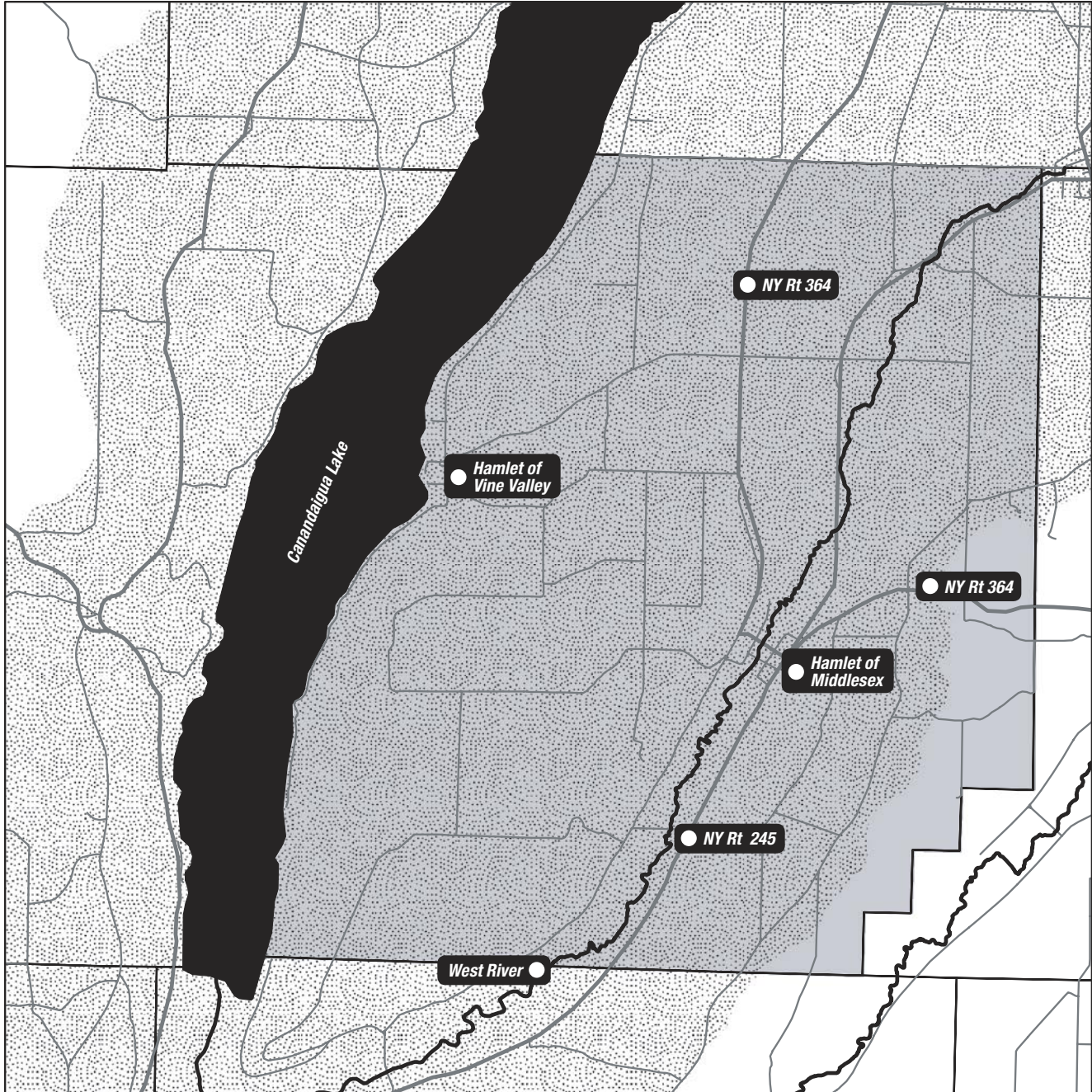
drainage problems). In addition, regional growth patterns indicate that more residential development will likely spread south from the Ontario County Town of Gorham along Canandaigua Lake into Middlesex. The Town is concerned about avoiding past mistakes and carefully regulating future growth to maintain the quality of life that Middlesex currently enjoys.

Working with the Town's dedicated Planning Board, Genesee/Finger Lakes Regional Planning Council (G/FLRPC) was able to provide assistance with the development of a Subdivision Law. Over the course of many months, G/FLRPC and the citizen-planners of Middlesex analyzed the initial model subdivision law and made significant edits to address the situation particular to Middlesex. This was an iterative process that saw information gathering and research conducted by both G/FLRPC staff and the members of the Planning Board. In addition, Planning Board members were able to consult other municipal officials such as the Highway Superintendent and Code Enforcement Officer. This contributed to a successful collaborative effort. See Appendix E4 for the subdivision law that was developed for Middlesex.

Aspects that greatly helped the process in Middlesex include:

- The knowledge, intelligence, thoughtfulness, and dedication of the individuals on the Planning Board

Town of Middlesex



The dotted area shows the extent of the Canandaigua Lake watershed.



- The Planning Board's willingness to hold periodic working sessions in addition to their usual monthly meetings.
- The Planning Board's apparent valued position within the municipal administration; board members were able to act as liaisons with various municipal departments, such as the highway superintendent and code enforcement officer.

B. Town of Ulysses, Tompkins County

(Cayuga Lake Watershed)

The Town of Ulysses lies within the southeastern portion of the Cayuga Lake watershed. The Town covers an area of 32.4 square miles, all of which lies within the Cayuga Lake watershed. Ulysses has over 6 miles of shoreline on Cayuga Lake.

According to the 2000 Census, the Town of Ulysses contains 4,775 people. The Town experienced a population increase of 8.3 percent between 1960 and 1980, and an increase of 2.3 percent between 1980 and 2000. The median age in Ulysses is 41.7 years and the average household size is 2.37 persons. Median household income is \$45,066, with a poverty rate of 4.3 percent. There are 2,200 housing units in the Town, 11.7 percent of which have been built since 1990. The median value of owner-occupied homes is \$103,000.

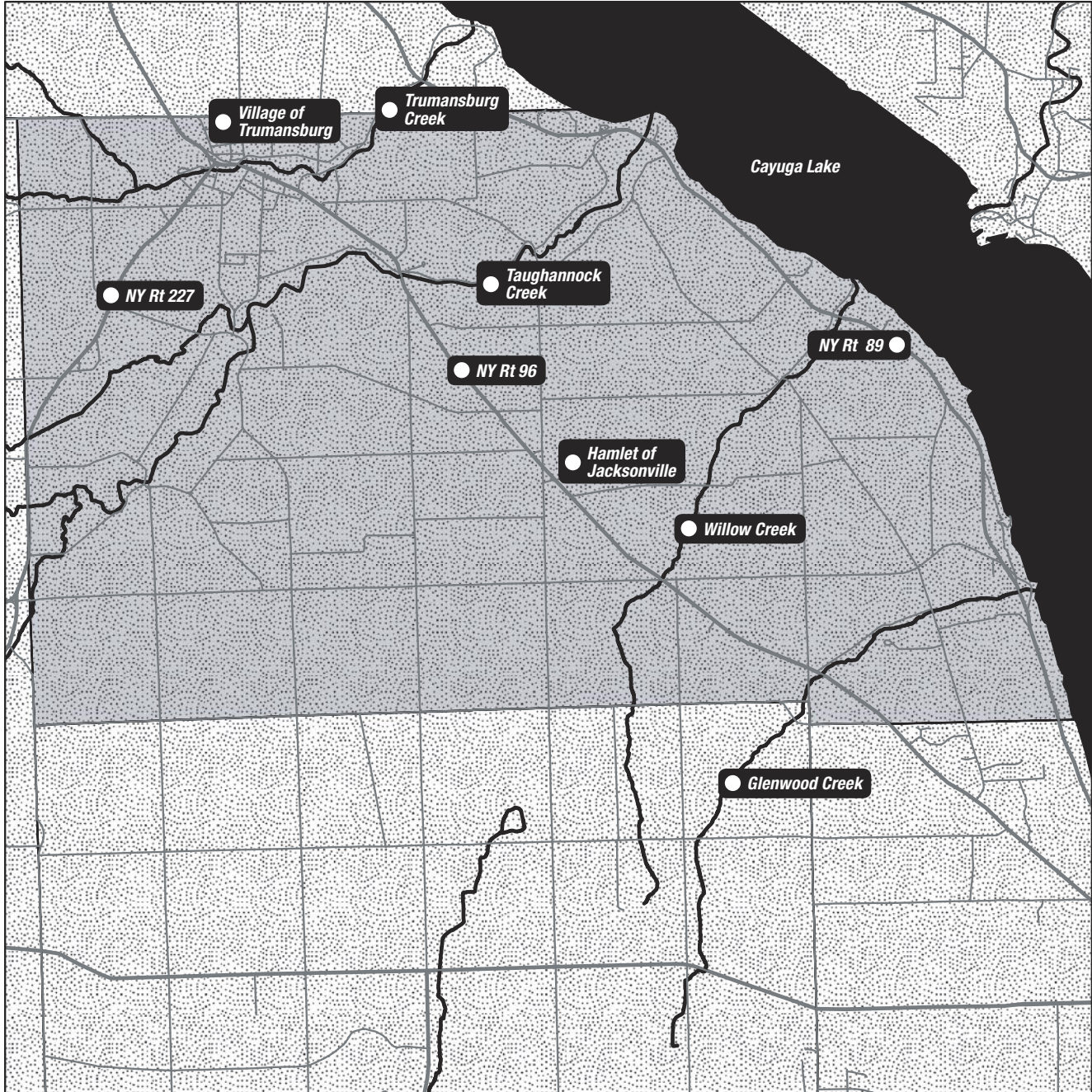
The Town of Ulysses felt that there were gaps in its ability to regulate development, especially with regard to increasing growth emanating from the Ithaca area, and the unique landscape of the Town, where much growth pressure is concentrated on

very steep land along the Cayuga Lake shoreline. In addition, the Town of Ulysses was designated a regulated Municipal Separate Storm Sewer System (MS4) (as part of the Ithaca urbanized area) in 2003. Developing and adopting greater regulatory tools was a priority so that the Town would comply with the Minimum Measures of the Stormwater Phase II Regulations.

Because Ulysses already had many of the basic land use tools (zoning, subdivision regulations, etc.), and was in the midst of a zoning update process, the Town chose to focus on a particular aspect of that zoning update: an Environmental Protection Overlay District (EPOD). This also dovetailed with the results of the Nonpoint Assessment results which showed a relatively weak score in the 'Development' category.

Working with the Town's Deputy Supervisor and the Town's special Stormwater Committee, Genesee/Finger Lakes Regional Planning Council (G/FLRPC) provided significant assistance in developing EPOD language for the new zoning code, as well as helping the Town review various model Sediment Control and Stormwater Management Laws as required by the Stormwater Phase II Regulations. The development of the EPOD, as with the other case study examples, was an iterative process whereby an initial model was presented and the committee and G/FLRPC staff went through rounds of editing to make the desired changes. See Appendix E3 for the EPOD language that was developed for Ulysses.

Town of Ulysses



The dotted area shows the extent of the Cayuga Lake watershed. As can be seen, the entire Town of Ulysses lies within the Cayuga Lake watershed.



Aspects that greatly helped the process in Ulysses include:

- The presence, most likely due to a location near Cornell University, of engaged civic involvement and significant expertise of the people involved (for example, one of the members of the municipal Stormwater Committee was a professor of environmental science at Cornell)
- Adequate municipal staff, both administrative and enforcement. The impression G/FLRPC received in Ulysses was that the Town is closer to providing enough paid people-hours to deal with issues rather than overly relying on part time or volunteer efforts.
- A deep and abiding concern for environmental protection. In Ulysses, the impression was the Town is concerned about the environment for its own sake, and did not need to be convinced that environmental protection is in its best interest.

C. Town of Groveland, Livingston County (Conesus Lake Watershed)

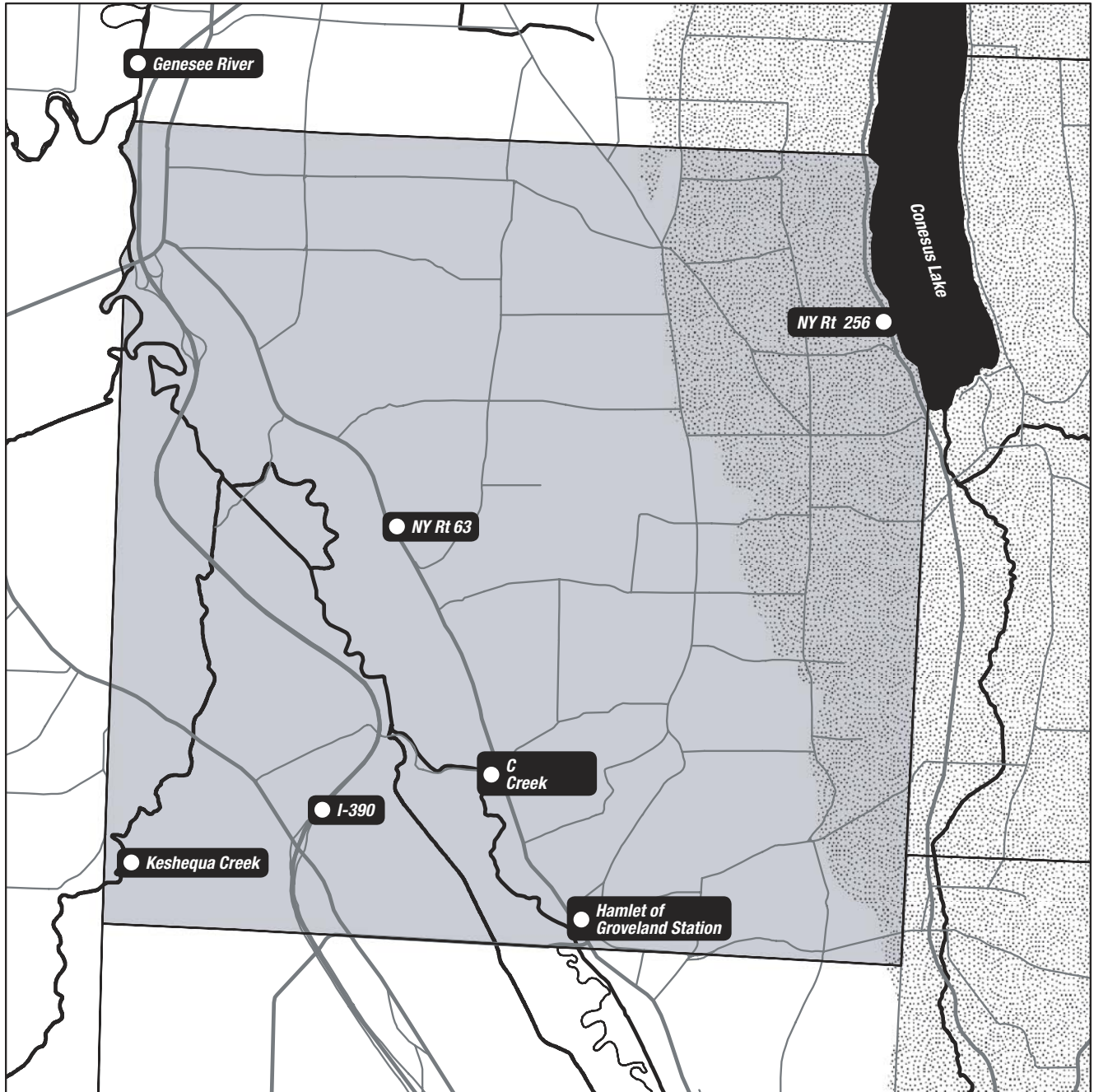
The Town of Groveland lies within the central southern portion of the Conesus Lake watershed. The Town covers an area of 38.5 square miles, 19.9 percent of which lies within the Conesus lake watershed. Groveland has approximately 2 miles of shoreline on Conesus Lake.

According to the 2000 Census, the Town of Groveland contains 3,853 people. The Town experienced a population decline of 11.5 percent between

1960 and 1980 but then an increase of 80 percent between 1980 and 2000. The median age in Groveland is 35.9 and the average household size is 2.63 persons. Median household income is \$46,797, with a poverty rate of 7.7 percent. There are 648 housing units in the Town, 6.1 percent of which have been built since 1990. The median value of owner-occupied homes is \$91,800.

After review of the Nonpoint Assessment results, and consideration of local priorities, the Town of Groveland identified three gaps in its land use review and control laws. First, the Town wanted to adopt a Junk Storage Law, which not only serves to protect the aesthetics of the Town, but also its environment and water resources. This law was developed by Genesee/Finger Lakes Regional Planning Council (G/FLRPC), based on a Department of State model, with the active input of the Town's Planning Board. Second, the Town had a significant issue with dock placement problems on Conesus Lake, especially with regard to coves and bays. Working with the Planning Board and the Code Enforcement Officer, G/FLRPC provided revisions to the existing Docks and Moorings Law. Finally, the Town had a zoning ordinance dating from 1966, with several amendments over time, that was very difficult to read and use. G/FLRPC re-codified this zoning ordinance, integrating the changes since 1966, and provided a clear, concise, land use regulatory tool for the Town. While perhaps not the most "glamorous" water resource protection tool, having a zoning law that is easy to use and reference should not be underestimated.

Town of Groveland



The dotted area shows the extent of the Conesus Lakewatershed.



Aspects that greatly helped the process in Groveland include:

- A very dedicated and engaged code enforcement officer who regularly attended and participated in Planning Board meetings. This high level of integration between planning and enforcement is beneficial and is not seen in all municipalities.
- An open-minded, thoughtful, and dedicated Planning Board.
- The presence of a Planning Board secretary who was not a member of the board itself. This position is valuable in that it oversees many of the administrative functions of the board and frees the board members, who, after all, are volunteers, to focus on the core issues of land use planning.