

**Town of Dryden Planning Board
December 19, 2013 7PM**

Members Present: Joe Laquatra (Chair), Craig Anderson, Heather Maniscalco, David Weinstein and Martin Hatch. Tom Hatfield (excused)

Town Board Members: none present

Planning Department representatives: Jane Nicholson (Interim Planning Director) and Nick Goldsmith

1. J. Nicholson has received a proposal from **Green Scene** for a sign permit but they are suggesting a free standing sign (rather than the pre-approved location on the building) which will conform to all the rules and guidelines. J. Nicholson has no problem with the proposal and the Planning Board concurred with her conclusion.

2. Comprehensive Plan review - J. Nicholson and N. Goldsmith have been working through the sustainability matrix in context of the STAR Goals and Objectives program that they showed the Planning Board in October. For January, J. Nicholson is proposing to finish the matrix, do the analysis and present the rough draft to the Planning Board.

For the February Board meeting, they are hoping to have an outline and draft proposal. The work that the Planning Board did will be integrated with the matrix and J. Nicholson hopes to have the project complete by April.

N. Goldsmith said that if the comprehensive plan supports a number system ranking, they will use one. Higher numbers indicate a higher level of sustainability compatibility.

N. Goldsmith said that they have not yet chosen the method of integration between what the Planning Board has done and the matrix they are developing.

J. Nicholson agreed that the Agriculture Advisory Committee can do the Ag section on January 8th.

M. Hatch asked whether we should be contacting the Village? They are interested in sewer and water now and it might be good to find out how the plans might intersect. He recommended that the Comprehensive plan goals be sent to the villages to see where they stand. They certainly have an interested in sewer and water systems.

The Planning Board agreed that the respective mayors of Freeville and Dryden should receive the Comp Plan goals and objectives with a request from the Planning Board and Chairman Laquatra for feedback.

D. Weinstein said that he has talked to the Conservation Board about reviewing the goals and objectives at their next meeting.

J. Nicholson reminded the Board that they are doing a proposal for the Comprehensive Plan update. Then the Town Board can look at that proposal and budget for how much the update will take.

M. Hatch requested that in the proposal, the comments or suggestions that the Planning Board had be included for the Town Board's information.

J. Nicholson said they are doing the “back work” and then they will bring their analysis to the Planning Board to review and edit the results. She thinks it is almost too ambitious to ask a board to do (the actual matrix), too much to ask of a board of volunteers.

C. Anderson suggested that if we could identify why some of the goals have not been done, then we could move forward and get them accomplished in the next two years while the Comp Plan rewrite takes place.

Some of the simple ones could be done, for example, someone can talk to TCAT about a park and ride and maybe move forward with that option.

If we id some of the things that have not even been started then while we are waiting to hear from the tb and in general

M. Hatch suggested that while moving forward with the Comp Plan, we can also talk to the other boards about the goals and objectives that have not yet been met and how we can move forward.

N. Goldsmith asked about the terms used by the board such as not complete or partially complete? The Board agreed that Not complete = not started. Continuing Process should be used to replace on-going. N. Goldsmith then asked if “complete” means complete or on-going? H. Maniscalco said the wording is wrong since the objective was accomplished per the zoning. D. Weinstein pointed out that we have done what needed to be done in order to encourage that objective.

M. Hatch suggested that the new plan should have a preamble which sets out the goals and objectives that have already been met.

M. Hatch asked if there is going to be a review of the terms? The example that comes to mind is “view shed” and “open space”.

J. Nicholson said the Conservation Board is working on the terms and definitions. At the joint meeting all the boards are going to have to all agree on a definition of Open Space.

J. Laquatra said this stuff is going on across America and the terms have already been established.

J. Nicholson said those definitions come from NYS.

3. Fill Ordinance

D. Weinstein (and the rest of the Board) received an email from Supervisor Sumner in which she proposed a different procedure from the direction they are going. First, she suggested defining the need for a fill ordinance. Then we need to take that list defining the need to the Town Board to get their approval before we proceed.

He said she also pointed out that the Planning Board would need to convince the public that this is needed. He thinks the best thing we can do is put a lot of thought of why we NEED this and expand the list.

J. Laquatra said that a recent conversation with one of the CEOs indicated that the fill site on the corner of Freese Road and Route 366 will be receiving more fill in the near future.

Heather asked how fill is not considered part of sustainability?

H. Maniscalco pointed out that putting in poor fill will undermine agriculture and it might cause harm to the water systems.

J. Nicholson asked if the board has read the Storm Water law since she believes most of the questions they have will be answered there. She suggested that the Board seriously consider why they want a new law. There have only been two recent cases upon which they are basing their need.

D. Weinstein suggested that the Planning Board provide a presentation to the Town Board and then we need to hold a public hearing.

Heather - we need another meeting

M. Hatch said that we have to be sure this is widely circulated so we get a good representation at the meeting with the Town where both sides can be presented

C. Anderson said we need to address what the issue is, what are we trying to accomplish and can we address just that issue. He feels the Storm Water laws already address the problems and we don't need another law until a threshold has been reached within a set amount of time.

M. Hatch said that as he understands you can get a permit to fill on a one acre lot to perpetuity; the resolution needs to be stronger or you will have people going around the law.

C. Anderson pointed out the Town goes around the laws. We are not able to enforce the laws we already have.

H. Maniscalco asked if there is a difference between storm water and ground water resources? Does Storm Water cover the quality of water?

J. Nicholson pointed out that enforcement is going to be a problem; we can't enforce everything we have on the books now.

H. Maniscalco said she prefers to have the law on the books. If the law isn't there then when we need it to protect ground water, we don't have a law to back us. It is better to have the law, just in case.

C. Anderson said that we have two Drydens. One that encompasses areas that have been designated as focus areas and then the rest of the Town. Places like Varna might benefit from stricter regulations than the rest of the Town.

M. Hatch made the point that if you look at the "Mount Varna" the Storm Water law should come into place since the water washes off into a major creek. If you look at German Cross Roads the water washes off into a major creek. And if we don't have at least an attempt to monitor and restrict them in ways that protect the environment.....

C. Anderson pointed out that should all be caught by the EPA and Storm Water regulations.

M. Hatch agreed and asked why isn't the EPA looking at this as a critical watershed?

C. Anderson said he believed that the EPA was doing testing above and below the German Cross Roads site.

- M. Hatch asked what the threshold is between I am going to put fill on this land versus I have a bigger plan and am filling for a larger purpose. Since Kim Wetzel has already said that he is allowing the fill to go in there for free so he can build on that lot. When do we start looking into a site plan review and looking at uses appropriate to the site, etc.
- J. Nicholson said that at this point Mr. Wetzel has completed all of his applications and has meet his requirements.
- M. Hatch wondered when the line is crossed? At what point can the Planning Board know what his future plan is?
- D. Weinstein pointed out that getting a permit is not the worst thing in the world. You are being asked to show someone else your plan.
- C. Anderson pointed out that the Storm Water regulations require that anytime a person is disturbing the dirt, they have to get a permit.
- H. Maniscalco asked whether we have any control over what is being used as fill?
- J. Nicholson said the state determines that.
- H. Maniscalco said that local law trumps state law and right now with economic dollars in areas like ours are precious and I think a little higher regulation will benefit in the long term. We don't want things thrown together and then have people moving out because their kids are getting sick.
- M. Hatch pointed out that what got us started on this is the Storm Water regulation and "Mount Varna" so is the Varna site being monitored. He also pointed out that a lot of the fill that is considered clean, might have lead or asbestos in it and that could affect the quality of water.
- He suggested the following as a response to Supervisor Sumner:
Instead of just stepping back and taking a broader look at this, but rather since we are serious about this because we see it as a vacuum in planning in the Town which involve liability issues in the future. These are areas that we have to increase enforcement but we also understand that starting another law right now without the background is inappropriate. - We wish to pursue this with a great deal of energy and strength and hope that the Town Board will join us in our concern.
- D. Weinstein said he would be circulating the list of needs and asked the Board members to chime in.

4. Discussion and approval of the **minutes** from November 21, 2013. M. Hatch moved to approve the minutes, H. Maniscalco seconded and all approved.

There being no further business, the meeting was adjourned 8:15 PM.

Respectfully Submitted,

Erin A. Bieber
Deputy Town Clerk

