

**Town of Dryden Planning Board  
February 27, 2014**

**Members Present:** Joe Laquatra (Chair), David Weinstein, Craig Anderson, Heather Maniscalco, Thomas Hatfield, and John Kiefer. Marty Hatch (excused)

**Town Board Representative:** Mary Ann Sumner

**Guests Present:** Nicholas Bellisario and Otis Philips, Bob Beck (Conservation Board)

**Planning Department Representative:** Jane Nicholson (Interim Planning Director)

The Meeting was called to order at 7PM by Chairman Laquatra.

**Reading and approval of minutes from January 23<sup>rd</sup>.**

D. Weinstein moved to approve the minutes without changes and H. Maniscalco seconded the motion. The minutes were unanimously approved.

J. Laquatra thanked C. Anderson, D. Weinstein and J. Kiefer for attending the DRYC meeting. At the meeting, the Comprehensive Plan goals and objectives from the Recreation section were reviewed and assessed based on the scale provided by the Planning Board.

**Discussion of Fill Ordinance:**

D. Weinstein reminded the group that they were going to try to incorporate the fill ordinance into the storm water law. Having looked at the Town of Ithaca and how they incorporated theirs, a document was created for consideration.

C. Anderson asked if anyone on the Board knows what a yard of dirt looks like. He has stopped at the Town Barn and noted that in the salt storage/cover-all barn, the Town has approximately 6,000 yards of salt. He doesn't see that as big volume of product so he is concerned about trying micromanaging as little as 50 yards.

H. Maniscalco stated that she is more concerned with the quality rather than the quantity.

D. Weinstein suggested that we put the fill discussion on the agenda for a later date and present it in public to gather public feedback which will help guide the final ordinance.

**Sketch Plan Review for the corner of Freese Road and Route 366. Nick Bellisario and Otis Philips**

The plan is for a town house development with four 2 bedroom apartments in each unit. There will be a center area for a laundry and utility room. The parking will be to the rear of the buildings.

D. Weinstein had a few questions/clarification:

- the sight line cannot be obstructed; Bellisario and Philips indicated that the buildings will not impact that. The buildings will be set back far enough to avoid posing a problem.
- will there be enough space for the bus to pull off to the side of the road? It might increase safety although the bus stopping in the road causes traffic to slow down.
- another concern he had was the water run-off but there is a pond at the bottom of the back slope. Bellisario and Philips indicated that they don't need to add any more fill but will have to level some of the land better.
- they are building the townhouses on slabs, thereby eliminating the need for pilings. J. Nicholson stated that a soil test would have to be done before the building permit can be issued based on the engineering reports on the site. Philips and Bellisario had several examples of building sites that didn't adhere to the recommendations of the engineers in regard to the stability of the fill that was used.
- D. Weinstein said that the Planning Board wants to ensure now that the townhouses are built in a manner that will sustain them for more than the next 20 years. The units will include 900 Sq feet per townhouse plus the space for laundry and utilities.
- H. Maniscalco asked if the townhouses were rentals or for sale. If they are going to be rentals, then the onus will remain with Philips and Bellisario. She also asked about the ability of people to get onto Route 366, since this is a fairly large project and will increase traffic.
- D. Weinstein suggested that the builders rename the project from Monkey Run Apartments because Monkey Run isn't close to the location.

J. Kiefer asked if the State (NY) has any say in this project based on the fact that Route 366 is a State Highway and they are going to need curb cuts. Bellisario indicated that they already had communication with the State.

The Planning Department recommended a full Site Plan review with a public hearing and a full EAF. The Board discussed whether or not a public hearing was necessary and the consensus was that since Varna has been so involved in their hamlet planning, they should be consulted. T. Hatfield suggested that the public be invited to the next Planning Board meeting which will permit the public an opportunity to express their views. D. Weinstein is concerned about the number of people that will hear about the meeting.

Bellisario and Philips said Cornell is requiring them to put an 8 foot stockade fence along the bottom of the property. Despite its size, it shouldn't cause any disruption with the view. Philips indicated that Cornell is also requiring some gates and fences along one of the borders to prevent people from trespassing.

C. Anderson asked about the design of the project in relation to the Varna plan and asked if there is a reason why the space wasn't being maximized more. The response was that this plan maximizes the space to the best of their ability within the space. He also asked whether there is a reason the builders aren't adding any commercial aspect to the plan. The builders have thought about that but are concerned about the guarantee of success. T. Hatfield pointed out that the traffic is heavy and difficult to get in and out, and not many folks are likely to stop unless they have the time and luxury of living in that area.

The discussion included the fact that the Antlers doesn't have a problem with traffic and the Plantation, which is farther away, is also a thriving business.

The Planning Board approved the Sketch Plan and plans on a Site Plan Review next month.

**Property Rights discussion:**

C. Anderson addressed the Board regarding Property Rights. He recapped that Bob Beck (Conservation Board) and himself were interested in holding a discussion on property rights to determine what the community believes are personal property (real estate) rights. They are addressing all of the volunteer boards in an attempt to find common ground that could be the beginning of a productive discussion.

B. Beck said that they hoped the discussion would not have any relation to any project the Town is working on. This is simply an attempt to understand where people stand, this is not a Town-led project and the involvement of the volunteer boards is simply because they are a convenient, available, and diverse group of people. It is a tentative first step.

H. Maniscalco asked what the agenda was, what is the reason for having this discussion? J. Laquatra guessed that it had to do with the CEAs and C. Anderson added that it also has to do with the Open Space Plan. T. Hatfield said he thinks this is a great idea and a necessary discussion but he is concerned that no matter how it is presented, people are going to perceive an agenda simply based on the fact that Anderson and Beck are both affiliated with the Town.

B. Beck stated that the objective of the discussion is knowledge. He is hoping that by having some experts provide input and by finding a common ground, everyone can learn.

H. Mansicalco reminded the Board that it wasn't so long ago that "property" had a different definition – one that could include people (women, children, etc) and that the definition has evolved.

B. Beck pointed out that the law says you own certain rights to do certain things on the land but the land itself is not absolutely owned. A person has title to the land and the current laws guarantee that you can do certain things on that land. The laws protect our right against intrusion and trespassing.

T. Hatfield went way back to the time when the monarch owned all the land and the people paid a tax as a rental fee. The Sovereign has granted the land to you and your heirs and cannot take it away without litigation.

B. Beck brought the conversation back to the point that the goal is to learn and find common ground so as a community we can move forward.

C. Anderson offered some information from the **Ag Summit** that was held on Wednesday the 27<sup>th</sup>. In 2007, Tompkins County generated \$60 million from agriculture enterprises. Ms. Teeter from Co-op Extension indicated that about one-third of that amount is from Dryden. C. Anderson pointed out that if farmers generate that amount of income, then imagine how much they are buying. He brought up the numbers as a demonstration of the financial influence farming has in this area.

**J. Nicholson** brought before the Board a situation in which a resident wants to donate some land to Cornell but the subdivision rules for that area require 250 feet of road frontage, the property has just under 250 feet. The proposition is going to the ZBA for a variance but the Planning Department was interested in the Planning Board's response.

D. Weinstein expressed concerned about exceptions to the rules but generally the Board had no objections to allowing the variance in this case.

Supervisor Sumner joined the meeting earlier and asked at this point, in regard to the sketch plan, "is this the best we can do?". J. Nicholson indicated that she has encouraged a more detailed plan. The plan was similar to unrelated plans that have been presented by other builders.

There being no further business, the meeting was adjourned at 9PM.

Respectfully Submitted,

Erin A. Bieber