

Town of Dryden Planning Board
September 24, 2015

Members present: Joe Laquatra (Chairman), Tom Hatfield, David Weinstein, Craig Anderson, Marty Hatch, Marty Moseley
Town Hall staff: Ray Burger
Town Board Liaison: Greg Sloan
Guests: Nicholas Bellisario

Review and approval of minutes from August 27, 2015:

M. Hatch moved to approve the minutes with suggested changes, D. Weinstein seconded the motion and the minutes were unanimously approved.

902 Dryden road: Ray Burger

A main concern is the flood plain. A map produced by FEMA has a “thumb” that appears to partially put the project in the flood plain. A modern map with updated information will show that the project is not in the flood plain. The Planning Department is attempting to work around the FEMA map by submitting a detailed survey of the area and requesting a conditional letter which will permit the developer to move ahead.

Traffic is still an issue. Suggestions include:

- a speed bump on Forest Home Drive
 - this will create some traffic calming but may force some people to change their commuting route
- change the intersection from a Y to a T
 - this option will take more time and money and will require the input of state and local DPW
- bring out the sidewalk to create a harder turn
 - this will force traffic turning right onto Forest Home Drive to slow down
- encourage an entry onto route 366

Board members also noted that the developers may be interested in assisting with the improvement at that corner.

Tom Hatfield offered the following resolution:

Whereas, the intersection of State Route 366 and Forest Home Drive is a Y which permits fast moving traffic and “rolling” stops; and

Whereas, the area speed limit is 30 miles per hour; and

Whereas, a development has been proposed for the corner of Route 366 and Forest Home drive with an entrance/egress onto Forest Home drive;

Therefore, be it resolved, the Planning Board hereby recommends the Dryden Town Board request that the Town of Dryden Highway Superintendent investigate the possibility of developing a bump out of the sidewalk into the current Route 366/Forest Home Drive intersection as a traffic calming mechanism.

Be it further resolved, the Planning Board requests the Highway Superintendent research the possibility and feasibility of converting the above referenced intersection to a 90 degree (T) stop.

Seconded by M. Hatch and unanimously approved.

Density is also an issue. The developer has cut back on the number of 4 bedroom units (from 3 to 2) but there will still be 16 units on the 2 acre site. Although there are town homes on the other side of the road, the zoning is split by route 366. The west side of route 366 is traditional neighborhood and the goal is to maintain the single family, single resident housing that is already there. There will be a community meeting October 6th, 7PM at the Varna Community Center and Mr. Burger expects the 902 Dryden Road project will be the focus of discussion.

M. Hatch stated that when the plan was originally brought to the Planning Board, members felt this was a great opportunity that fit with the Varna Plan.

D. Weinstein explained that many Varna residents agree it is a great plan but feel that it is in the wrong place. Fall Creek is a valuable resource that can be harmed by high density housing no matter how good the SWPPP is.

M. Hatch feels that more discussion needs to happen. He doesn't see that area as a traditional neighborhood area; it is a high traffic area, there is a manufactured home park and town houses across the street, and manufactured homes a short distance down Forest Home Drive. This is an opportunity to think about the future; where is Varna headed, what is Varna's future, can the hamlet sustain only single family homes?

1401 Dryden Road, The Storage Squad

They are waiting the 239 (l) and (m) from the County.

The property has two streams and the project is on a slope which will require digging into the hill and putting up a retaining wall. The SWPPP will be a challenge.

Approximately 3 of the 5 acres will be paved.

Asbury Road

Scott Morgan, the developer, is becoming more involved with the process. Mr. Burger believes Mr. Morgan is willing to work with the Town and is waiting for verification of the multi-family dwelling definition.

Multifamily dwelling discussion

As is, a person can build a single family home or duplex as of right and only needs administrative approval.

A cluster development without a subdivision should be linked (cross referenced) to subdivision guidelines.

The maximum density permitted by the Zoning Density Chart is 2 units per acre. It was proposed that if more than 4 living units per lot are proposed, then the proposal has to go through SPR and the Planning Board. That will force developers to get further guidance but does not mean a higher density will be denied. If the developer brings a plan for cluster development, the density can be increased via an agreement between the planning board and the developer. Generally, there will need to be a benefit to the Town of Dryden, for example: the developer might be willing to include a

park which guarantees a specific amount of open space in exchange for additional density.

Mr. Burger asked how to ensure that information is institutionalized. What if the developer decides to subdivide the property 20 years after the initial permit?

- The records are kept by the Planning Department.
 - It is the due diligence of an owner to review the files.
- File it with the County Clerk's office
 - This process will help protect a future buyer who will be unlikely to review the Planning department files.

D. Weinstein offered the following resolution:

Whereas, the Planning Board has been involved in the discussion regarding the definition of Multi-Family Dwelling; and

Whereas, the Planning Board has offered additional guidelines and suggestions; and

Whereas, the Planning Board has requested the Planning Director incorporate his guidelines and suggestions into the existing, revised definition;

Therefore, be it resolved, the Planning Board hereby requests a 30 day extension to the October 15th, 2015 public hearing regarding the amended definition.

The motion was seconded by M. Hatch and unanimously approved.

The Board agreed to leave large development proposals currently requiring a SUP with the Town Board.

M. Moseley pointed out that the Town does not have guidelines in place for cluster developments. He recommended cross referencing with the commercial and residential guidelines.

See attached for the amended Multi-Family Dwelling resolution.

**Bellisario property on the corner of Freese Road and Route 366, "Mount Varna",
D. Weinstein**

- The activity is within Mr. Bellisario's rights
- the type of activity has become a conflict with the nature of the residential area
- 12+ hours per day, 6 days a week there is constant noise associated with the movement of soil and the bang/slam noise from the tailgates of the dump trucks
- the fill will be done eventually, once the area is filled.
- the "mountain" will be transported back to Cornell within a year
- Within 2 -3 weeks the mountain will be seeded and mulched
- the fill being put in the lower part of the Bellisario property is coming from the Town of Dryden, Ellis Hollow Road
- There are two reasons for Mt. Varna: it is built by earth/soil that will be put back into use next year (removed from this property and returned to where it was removed) and the weight of the earth/soil is aiding the compaction of the previously filled area
- One concern that was brought to the Town Board is regarding the health of an elderly woman that lives across Freese Road from the fill site. Mr. Bellisario indicated that he is aware of the situation but in general, the wind blows out of the

northwest which is in the opposite direction of her house. The DEC was at the site yesterday (September 23) and indicated that they would contact Mr. Bellisario if they determined there were any problems. Mr. Bellisario has not heard anything from the DEC as of this evening.

- D. Weinstein has been encouraging the Town Board to pass a fill ordinance. The purpose of which will be to provide some oversight especially at the outset to ensure the protection of natural resources, especially water.
 - Mr. Bellisario is not against this idea. He has been required to provide a SWPPP and pays for monthly inspections and feels all other fill sites should be held to the same standard.

M. Hatch offered the following resolution:

Whereas, the Town of Dryden does not have a fill ordinance; and
Whereas, there are several sites in the Town that are currently being filled; and
Whereas, the Planning Board agreed that fill generated within the Town of Dryden should stay in the Town of Dryden; and
Whereas, the Town does not have a process to review the transportation and use of fill;
Therefore, be it resolved, the Planning Board recommends the Town Board charge the Planning Board with the task of researching and reviewing current fill projects for the purpose of ensuring equally applied guidelines and requirements.

Seconded by C. Anderson and unanimously approved.

Future meeting dates:

October 22
November 18
December 16

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

Respectfully Submitted,

Erin A. Bieber
Deputy Town Clerk

DRYDEN ZONING LAW

Supv Sumner offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby introduces the following local law and schedules a public hearing on the same for October 15, 2015 at 7:05 p.m.

Preamble: The current Town of Dryden Zoning Law has defined standards for Single-Family Dwelling (one family), Two-Family Dwelling (duplexes), Multi-Family Dwelling (triplexes or above) and groups of Multi-Family Dwellings. However, when there is a grouping of Dwellings other than a series of Multi-Family Dwellings the Zoning Law is silent. Therefore, changes to the definition of Multi-Family Dwelling are proposed to encompass more types of groupings. Multi-Family Dwellings are allowed in the Mixed Use Commercial, Rural Residential and Rural Agricultural districts by Special Use Permit. While Section 605 of the Zoning Law provides maximum densities in the Mixed Use Commercial District there is no corollary for other districts.

Different ways to evaluate the density of a residential development are discussed in the Town of Dryden's Residential Development Design Guidelines and the Comprehensive Plan and these factors would be looked at during the Special Use Permit process. While this evaluation may result in a more refined development density, there should be some section of the Zoning Law that sets a general parameter for any development that does not get specifically addressed. Therefore, the Zoning Law is hereby amended in order to clarify what qualifies as a "Multi-Family Dwelling" and establish maximum densities in the Rural Residential and Rural Agricultural Districts.

Local Law No. 1 of the year 2015 (Titled: "Town of Dryden Zoning Law") is hereby amended as follows:

1. The definition of "Multi-Family Dwelling" is amended as follows:

Dwelling, Multi-Family –(1) A Dwelling with separate living Dwelling Units for three or more families having separate or joint entrances and including apartments, ~~group homes,~~ townhouses, cottage homes and condominiums; (2) group homes; or (3) more than one Dwelling on one lot , excluding a permitted Accessory Unit Dwelling. ~~with each Dwelling containing separate living units for three or more families having separate or joint entrances and including apartments, group homes, townhouses, cottage homes and condominiums.~~

2. A new section 606 is hereby enacted to read as follows:

Section 606: Density in the Rural Residential and Rural Agricultural districts:

Unless provided for elsewhere in this law the maximum number of Dwellings on a lot is two and the maximum density is two Dwelling Units per acre. This provision shall not apply to lots on which a Farm Operation is conducted.

3. This local law shall take effect upon filing in the office of the Secretary of State.