

Comments by the Town of Dryden Conservation Board on the 1540 Ellis Hollow Road conservation sub-development application.

October 24th 2017

>> The Conservation Board thanks Ray Burger for requesting an evaluation of the proposal for a Conservation Subdivision for 1540 Ellis Hollow Road and we hope that the Conservation Board will continue to be consulted in all similar instances in the future.

It was a universal sentiment of Board members that this conservation sub-development is not a bad deal; smart development better than spread.

However it looked as if this application is being submitted after the fact as the site has already been cleared, the road roughed in and some utilities already installed, and yet “no improvements” is listed which is not correct.

It was considered that the following need attention:

- P3 item 4: it is not a “gentle slope” as claimed. The road goes straight down a steep slope and this will lead to erosion. As such an S shaped main drive would be much more desirable.
- Water retention at the base is desirable; this is mentioned but there is no description. A catchment and appropriately planted soak-away area should be installed at the base of the driveway.

Other items of concern were:

- D.2.c-d: Water supply and septic handling on the small lot sizes is not described in any detail.
- E.2.a: Bedrock is way less than 25ft.
- E.2.h.iv: No mention is made of the stream classification. We believe that it is a DEC classified Class C trout stream.
- E.2.m: The entry is not sufficient for an experienced individual (i.e., a trained naturalist) to evaluate.
- E.3.d: Tompkins County UNA126 is adjacent or possibly overlaps the property; where is the UNA boundary vs this area?
- E.3.h: No aesthetic areas are listed. Do nearby Cornell natural areas etc. classify as aesthetic?
- Difficulty of entering Ellis Hollow road from a sloped driveway.
- What if house sizes are increased post-sales?

>> Bob Beck brings to the Planning Board’s attention that deed restrictions are non-transferable and can be overwritten by the owner. As such a deed restriction is not sufficient, as the conserved area could be lost in the future. A conservation easement can be enforced, which is a big difference. We request that Ray Burger seeks legal advice on the perpetuity of such deed, and if not permanent, move for a conservation easement.