

**Dryden Planning Board  
January 26, 2017**

**Members Present:** Marty Moseley (Chair), Tom Hatfield, Craig Anderson, David Weinstein, John Kiefer, Marty Hatch, Joe Wilson and Hilary Lambert

**Guests:** Ormsby (Buzz) Dolph, Caleb Dolph, Carl Snyder (NY Home/Land Quest), Chet Feldman and Daniel Walker (Distributed Sun) and Don Scutt

**Town Hall Staff:** Ray Burger, Director of Planning

**Public comments:** none

**1624 Ellis Hollow Road:** Ormsby Dolph

- Subdivision of a 17 acre parcel into four (4) 1.25 building lots and a common conservation area of 12 acres.
  - o He has attempted to find an organization that will assume control of the wetland. So far, the Finger Lake Land Trust and Cornell have declined.
  - o The sketch plan shows the limit of the wetland plus a 100 foot buffer.
  - o Mr. Dolph is interested in providing a 25 foot right of way (the main driveway/road) to that area.
  - o The main driveway will actually be more of a private road and the individual lots will have driveways off that road.
- A conservation subdivision will allow for less road frontage.
- Mr. Dolph intends to keep the ground disturbance to less than an acre – basically the driveway and the septic systems. If he disturbs more than an acre he will need to have a stormwater maintenance plan (SWPP).
- Either Mr. Dolph or the new home owners/homeowners association will have to assume responsibility for the “road”.

**Review of SEQR:**

Part one:

- C2 (a) should be changed to yes
- The chart on page 9 needs to be changed so the acreage adds up correctly.

Part two: No

Part three: Negative Declaration

**RESOLUTION # 3 (2017) – NEG SEQR DEC – Ellis Hollow Subdivision, Ormsby Dolph**

*D. Weinstein offered the following resolution and asked for its adoption:*

*WHEREAS,*

*A. The proposed action involves consideration of the application of Ormsby Dolph to subdivide a 17 acre parcel into four (4) 1.25 acre building lots with a common conservation area of 12 acres at 1624 Ellis Hollow Road.*

*B. The proposed action is an Unlisted Action for which the Planning Board of the Town of Dryden is the lead agency for the purposes of uncoordinated environmental review in connection with approval by the Town.*

C. The Planning Board of the Town of Dryden, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law – the State Environmental Quality Review Act “(SEQR), (i) thoroughly reviewed the full Environmental Assessment Form (the “full EAF”), Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR §617.7(c), and (iii) completed the full EAF, Part II;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Planning Board of the Town of Dryden, based upon (i) its thorough review of the full EAF, Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR §617.7(c), and (iii) its completion of the full EAF, Part II, including the findings noted thereon (which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“Negative Declaration”) in accordance with SEQR for the above referenced proposed action, and

2. The Responsible Officer of the Planning Board of the Town of Dryden is hereby authorized and directed to complete and sign as required the determination of significance, confirming the foregoing Negative Declaration, which fully completed and signed full EAF and determination of significance shall be incorporated by reference in this Resolution.

M. Hatch seconded the motion which was unanimously approved.

**Resolution # 4**

M. Hatch moved to accept the existing conditions report and conservation analysis as provided.

C. Anderson seconded the motion which was unanimously approved.

**Site Plan Review with conditions**

**Resolution # 5**

*Ellis Hollow Road Subdivision, Orsmy Dolph*

M. Hatch offered the following resolution:

**Whereas**, the Dryden Planning Board has reviewed the Sketch Plan per Article VII of the Town of Dryden Subdivision Law, and

**Whereas**, the Planning Board finds the project to be consistent with the zoning, design guidelines and comprehensive plan; and

**Whereas**, the Tompkins County Planning Department review pursuant to General Municipal Law § 239-l and § 239-m found “no negative inter-community impact”; and

**Whereas**, the Town of Dryden Planning Board and Planning Department have made recommendations;

**Therefore, be it resolved** that the Planning Board approves the Sketch Plan and waives further Site Plan review with the following conditions:

1. The conservation easement, deed restriction and/or plat note must identify and protect the open space, including language that permits the public access to the wetland conservation easement at a future time.
2. A stormwater management plan is required if more the ground disturbance is greater than one acre for the entire subdivision area.
3. Mr. Dolph will speak with the fire department to ensure the access to the subdivision is acceptable.

D. Weinstein seconded the motion which was unanimously approved.

**430 Lake Road Subdivision:** Carl Snyder

- The developer has changed the design to reduce the number of road cuts.
- There will be a 200 foot easement along the lake/DEC property and a 300 ft easement along the road
- No buildings will be permitted along the lake – no docks, no physical changes. The area will be used for recreation only.
- No new home construction will be permitted along the road via a deed restriction although fencing and pasture are acceptable.
- The developer indicated that singlewide and doublewide trailers will be prohibited.
- J. Kiefer asked the developer to show the edge of the wet lands (the DEC protected area) and the buffer on the sketch plan.
- J. Kiefer asked that, for the purposes of SEQR, the developer provide map of the wetlands and define the conservation easement language (what can and cannot be done within those areas), the DEC has good examples.
- The Board also asked the developer to add contour lines to his map so the Board can see the slopes.
- The barn that goes with the golf course is on lot #3. If the property owner wanted to keep the barn it will reduce the road frontage for that lot and the developer asked if that is permissible. Due to the project's delineation as a conservation subdivision, the road frontage can be reduced. The Board asked for the specific frontage on the lots if the barn is removed from lot 3.
- The developer was asked to review and amend the SEQR (several questions were answered with TBD (to be determined)).

**Distributed Sun, LLC - 2150 Dryden Road**

Chet Feldman and Daniel Walker

- there will be one (1) meter per tax parcel
- the applicant wants to subdivide a 157 acre parcel into six (6) lots for the purpose of installing solar panels.

D. Weinstein asked about the power wires that will carry the electricity to the transformer. The lines will not be buried but the generator does make a rough idling noise that should not be audible to the neighbors.

**Review of SEQR:**

- the applicant needs to fix the address.
- D1d2 should be no
- The listed streams on page 11 of 13 are Virgil Creek and Willow Glen Creek
- E2i, j, and k (regarding floodplains) should all be marked yes.
- Currently hunting is permitted on the property but hunting will not be permitted after the panels are installed.
- E3b – about 20% of the soils are considered prime lands, about 20 acres.
- E3h – the site is within five miles of the Rural Highway Corridor as presented in the Commercial Design Guidelines, page 21.

***RESOLUTION # 6 (2017) – NEG SEQR DEC – 2150 Dryden Road subdivision***

*M. Hatch offered the following resolution and asked for its adoption:*

*WHEREAS,*

*A. The proposed action involves consideration of the application of Distributed Sun, LLC to subdivide a 157 acre parcel into six (6) lots at 2150 Dryden Road.*

*B. The proposed action is an Unlisted Action for which the Planning Board of the Town of Dryden is the lead agency for the purposes of uncoordinated environmental review in connection with approval by the Town.*

*C. The Planning Board of the Town of Dryden, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law – the State Environmental Quality Review Act “(SEQR), (i) thoroughly reviewed the Full Environmental Assessment Form (the “full EAF”), Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR §617.7(c), and (iii) completed the Full EAF, Part II;*

*NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:*

*1. The Planning Board of the Town of Dryden, based upon (i) its thorough review of the full EAF, Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR §617.7(c), and (iii) its completion of the full EAF, Part II, including*

*the findings noted thereon (which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“Negative Declaration”) in accordance with SEQR for the above referenced proposed action, and*

*2. The Responsible Officer of the Planning Board of the Town of Dryden is hereby authorized and directed to complete and sign as required the determination of significance, confirming the foregoing Negative Declaration, which fully completed and signed full EAF and determination of significance shall be incorporated by reference in this Resolution.*

*D. Weinstein seconded the motion which was unanimously approved.*

M. Moseley asked that the site plan reflect a 100 foot stream buffer. The developer stated that Federal wetlands don't require a buffer. He will review the hydrology report to determine the flood concerns along both the streams.

**Site Plan Review with conditions  
Resolution # 7**

*2150 Dryden Road Subdivision, Distributed Sun, LLC*

*J. Kiefer offered the following resolution:*

**Whereas**, *the Dryden Planning Board has reviewed the Sketch Plan per Article VII of the Town of Dryden Subdivision Law, and*

**Whereas**, *the Planning Board finds the subdivision to be consistent with the zoning, design guidelines and comprehensive plan; and*

**Whereas**, *the Town of Dryden Planning Board and Planning Department have made recommendations;*

**Therefore, be it resolved** *that the Planning Board approves the Sketch Plan.*

*M. Hatch seconded the motion which was unanimously approved.*

**Review and approval of minutes from December 21, 2016:**

M. Hatch moved to accept the minutes as presented. J. Kiefer seconded the motion which was unanimously approved.

**Infrastructure Law Committee:**

M. Moseley called for volunteers to work on the infrastructure law outside of the regular planning board meeting. J. Wilson and M. Hatch volunteered and J. Liefer has volunteered as well.

**Open Meetings law:**

M. Hatch asked that the Town lawyers present guidelines to the Planning Board regarding the open meetings law.

**The upgrade to transmission lines for gas:**

A SUP has been issued for the upgrade by the Town Board. M. Hatch is wondering what the SEQR implications are of the expansion of gas in the pipelines and at the pumping stations. This question brought up the issue of permits being issued “in perpetuity”.

**Other Business:**

The former Phoenix Books building has been sold and the new owners want to put in an ag equipment business. The issue at this time appears to be the location of the parking/display area and the fact that the original permit allowed retail inside the building. The project will be reviewed by the ZBA.

The Encodema building has put up a very bright back-light sign that they did not have approval for via their building permit. The Board is asking that the Planning department bring the owners back for the proper permits.

There being no further business the meeting was adjourned at 9:55PM.

Respectfully Submitted,

Erin A. Bieber  
Deputy Town Clerk