

**TOWN OF DRYDEN**  
**TOWN BOARD MEETING**  
**May 17, 2018**

Present: Supervisor Jason Leifer, Cl Daniel Lamb, Cl Linda Lavine,  
 Cl Kathrin Servoss, Cl Alice Green

Elected Officials:

Other Town Staff: Diane Michaud, Deputy Clerk  
 Ray Burger, Planning Director  
 Kevin Ezell, Code Enforcement Officer

Supv Leifer called the meeting to order at 7:10 p.m. and led board members and audience in the pledge of allegiance.

**PUBLIC HEARING**  
**UNSAFE STRUCTURE AT 107 MORRIS ROAD**

Supv Leifer opened the public hearing at 7:11 p.m. R Burger explained that an unsafe structure at 107 Morris Road has been deteriorating for years and has been posted against occupancy. There were notices of violation sent the property owner beginning in 2010. In 2013 we received a response when the owner applied for a demolition permit, but he failed to act on it. The permit was renewed and there has been no activity to remedy the situation. There is a report from the code enforcement officer dated April 18, 2018, explaining the condition and declares it unsafe. There was amendment to our law in 2017 that lays out a procedure for this. A notice was sent to the property owner and public hearing scheduled. The board has proposed resolution about turning this over to the town attorneys to commence a civil action. A recent development is that the property owner has just come in with a plan to demolish the building and there is an application for a building permit. A modified resolution has been prepared that includes a clause that delays action for 30 days. The board can take adopt the resolution tonight allowing the property owner 30 days to see if he can execute the demolition on his own. If not, thirty days from how the civil action will be commenced.

Cl Lavine is concerned about other properties that are in bad shape and confused about under what circumstances the board should act on these things. R Burger stated this is planned to be the first of many actions. There are other structures in the town that will be dealt with in a similar way. We have a new law with a clearer path to act under. He explained the Uniform Code has some standards so our Code Enforcement Officers are able to make a determination that these structures meet the criteria for being unsafe. It is a public safety issue if there is public access to it; it becomes an attractive nuisance.

Code Enforcement Officer Kevin Ezell said they first noticed the roof caving in some time in 2010 and sent a violation notice. It continued to collapse until it collapsed in on itself. The department did a final notice and the owner, Randy Avery, came in and got a demolition permit and very little was accomplished. The matter went to the town board under the old unsafe structure law and the town board took no action at that time. The town then revisited the unsafe structure law and it is now in a local law for enforcement of the Uniform Fire Prevention and Building Code. The process is more streamlined. This is the first case under that new law.

Randy Avery reported he has a contractor who will start next week to demolish the structure.

K Ezell was asked how they will prioritize addressing these types of properties and he replied they will likely start with the ones that are most visible and accessible.

R Avery said he expects it will be completely done within the 30 days provided for in the resolution. K Ezell explained that he will inspect the premises to be sure it is done. If there is substantial completion the board could grant an extension of time.

Supv Leifer closed the hearing at 7:16 p.m.

**TOWN OF DRYDEN RESOLUTION No. 90 OF 2018  
A RESOLUTION AUTHORIZING ATTORNEY FOR THE TOWN OF DRYDEN, NY  
TRUE, WALSH & SOKONI, LLP TO COMMENCE A  
CIVIL ACTION IN NEW YORK STATE SUPREME COURT, ON BEHALF OF THE TOWN OF  
DRYDEN, AGAINST RANDY AVERY**

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

The Town Board of the Town of Dryden, duly convened in regular session, does hereby resolve as follows:

SECTION 1. The Town Board of the Town of Dryden (“Town”) hereby authorizes True, Walsh & Sokoni, LLP, Attorneys for the Town, to commence a civil action in New York State Supreme Court on behalf of the Town and to appear as the attorney for the Town of Dryden, as Plaintiff, against Randy Avery, as Defendant as well as any other persons with a recorded interest in the property that is the subject of this resolution, unless the Code Enforcement Officer certifies that within thirty days of the date of this resolution the subject property was substantially remediated in accordance with Local Law No.4 of 2017 (hereinafter the “Local Law”) and the provisions of the New York State Uniform Fire Prevention and Building Code (hereafter “Uniform Code”).

SECTION 2. In said civil action, the Town, as the Plaintiff, shall, among other things, ask the Court: (a) to enjoin and restrain the Defendant from violating the provisions of the Local Law No. 1 of 2007 of the Town as amended by Local Law No.4 of 2017 (hereinafter the “Local Law”) and the provisions of the New York State Uniform Fire Prevention and Building Code (hereafter “Uniform Code”) which are being violated with respect to premises at 107 Morris Road, Dryden, NY designated as Tax Map No. 24.1-1-2.43 (“Subject Property”) reputedly owned by Randy Avery, in the Town of Dryden, County of Tompkins, State of New York; and direct that said violations be terminated and abated; (b) to permanently enjoin the alleged violations of the Local Law and the Uniform Code; (c) to direct the Defendant to permanently cease and desist the alleged illegal use(s) of the subject premises; (d) to direct that the Defendants apply for, and obtain all necessary permits required to remove the unsafe/dangerous building at Subject Property and to demolish said building as ordered by the Code Enforcement Officer of the Town; and (e) to direct that the Defendant takes all necessary steps to comply with the Local Law and the Uniform Code; and (f) to permanently prohibit all other persons from using the subject premises in violation of the Local Law and the Uniform Code; (g) to enjoin and restrain the Defendant from creating and maintaining a public nuisance; and (h) to grant the Plaintiff, Town, such other and further relief as to the Court may seem just and proper, together with the costs and disbursements of the action.

SECTION 3. The Town Supervisor is authorized to contract for the services of a title search company to search for persons with a recorded interest in the Subject Property for purposes of ensuring that such persons can be served with notice of the proceedings contemplated by herein.

SECTION 4. This Resolution shall take effect immediately.

2<sup>nd</sup> Cl Lamb

Roll Call Vote	Cl Lavine	Abstain
	Cl Green	Yes
	Cl Servoss	Absent
	Cl Lamb	Yes
	Supv Leifer	Yes

**PUBLIC HEARING  
SPECIAL USE PERMIT AND SITE PLAN REVIEW  
CAMP EARTH CONNECTION  
63 AND 129 HAMMOND HILL ROAD**

Supv Leifer opened the public hearing at 7:25 p.m. R Burger explained this property is near Hammond Hill State Forest where Camp Earth Connection has been in operation. It is a non-conforming use in the Conservation District so there is a special use permit required to expand that non-conforming use. The application is for 9 rustic cabins and a small 800 square foot lodge to be added to the site (62 acres). There is a short form SEQR submitted with the application.

Public comments:

**Marie McRae**, 710 Irish Settlement Road, said she has known the applicant for many years and considers her and her camp an asset to Dryden. She urged the board to help move this forward. She is sure that any expansion will be done right because it is important to the applicant.

**David Weinstein**, 51 Freese Road, seconds what M McRae said. This camp has traditionally been great for kids. He asked if anything here precludes her from opening it for people to come to stay in the hills for a night. Do all activities have to be in conjunction with her Connection programs?

R Burger said this is an existing operation and she has had this campground for years so that would continue to operate. This formalizes having cabins and a retreat center, her lodge concept, to memorialize that as a legitimate expansion on the site. Overnights would continue insofar as it has already been part of her operation.

There were no further comments from the public. R Burger read a comment received from Ann and Charlie Leonard in support of the application. He has prepared SEQR parts 2 and 3 for board review. There will be an increase in the intensity in the land use, but given that it is of a quiet recreational nature on 2 acres of a 63 acre site, there is little or no impact.

Supv Leifer reviewed the SEQR documents with board members. DEC has been contacted and has no concerns. There will be septic built for each of the clusters of three cabins. The total outfall is less than 1,000 gallons per day so it doesn't require a SPEDES permit or further action.

Board comments:

Cl Lamb remarked he visited the site last week and got a good impression of the organization.

Cl Green feels very good about this project and thanked the applicant for bringing it forward.

Supv Leifer closed the public hearing at 7:40 p.m.

**RESOLUTION #91 (2018) – NEG SEQR DEC – Expanding the Campground and Retreat Center at an existing facility (Camp Earth Connection) at 63 and 129 Hammond Hill Road, Tax Parcels 63.-1-15.52 and 63.-1-15.3**

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

WHEREAS,

A. The proposed action involves applications by Susan Rausch for a Special Use Permit and Site Plan approval to allow for the expansion of the campground and retreat center at an existing facility at 63 and 129 Hammond Hill Road, Tax Parcels 63.-1-15.52 and 63.-1-15.3, and

B. The Town Board of the Town of Dryden considers this an unlisted action pursuant to the New York State Environmental Quality Review Act (“SEQRA”) and is the lead agency for the purposes of uncoordinated environmental review in connection with site plan and special use permit approval by the Town, and

C. The Town 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 SEQRA, (i) thoroughly reviewed the Environmental Assessment Form (“EAF”), Parts 1 and 2, 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 EAF, Part 3;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board of the Town of Dryden, based upon (i) its thorough review of the EAF, Parts 1 and 2, 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 EAF, Part 3, including the reasons noted thereon (which reasons 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 determines that an Environmental Impact Statement will not be required, and

2. The Responsible Officer of the Town 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 EAF and determination of significance shall be incorporated by reference in this Resolution.

2<sup>nd</sup> Cl Lamb

Roll Call Vote	Cl Lavine	Yes
	Cl Green	Yes
	Cl Servoss	Absent
	Cl Lamb	Yes
	Supv Leifer	Yes

R Burger explained that a condition has been added to the approval providing for screening between the northern cluster of cabins and Hammond Hill Road.

**RESOLUTION #92 - (2018) - Approving Site Plan and Granting Special Use Permit for a Campground and Retreat Center at an existing facility at 63 and 129 Hammond Hill Road, Tax Parcels 63.-1-15.52 and 63.-1-15.3**

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

WHEREAS,

- A. Susan Rausch has applied for a Special Use Permit (SUP) to expand her operation of a campground and retreat center at an existing facility at 63 and 129 Hammond Hill Road, Tax Parcels 63.-1-15.52 and 63.-1-15.3, and
- B. These two parcels have been in use as a campground and retreat center since the 1970s, and
- C. The proposal is to add 9 cabins and a small lodge to the site over the next 10 years, and
- D. An application, sketch plan, short Environmental Assessment Form (EAF), and Ground Disturbance Tally Form have been submitted, and
- E. The Town Planning Department considers the application complete and in conformance with the requirements of Town Zoning Law §501, §600, §1103 and §1201, and
- F. A public hearing was held on May 17, 2018 with public comments registered in the meeting minutes and considered by this board, and
- G. The Tompkins County Planning Department reviewed the application per NYS Municipal Law 239-1, -m and -n and found that this proposal has no negative inter-community or county-wide impacts, and
- H. The Stormwater Management Officer reviewed the proposal and concluded that a simple Stormwater Pollution Prevention Plan (SWPPP) is required and this will be implemented when each building permit is issued, and
- I. Pursuant to the New York State Environmental Quality Review Act ("SEQRA") and its implementing regulations at 6 NYCRR Part 617, the Town Board of the Town of Dryden, has, on May 17, 2018, made a negative determination of environmental significance, after having reviewed and accepted as adequate the Short EAF Parts 1, 2 and 3, and
- J. The Town Board has reviewed this application relative to the considerations and standards found in Town Zoning Law §1104 for site plan review and §1202 for Special Use Permit.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board approves the sketch plan documents, dated April 6, 2018, as site plan for 63 and 129 Hammond Hill Road with a condition that vegetative screening be added between Hammond Hill Road and the northern cluster of cabins on Site A; and

2. The Town Board hereby finds that the considerations for approval of the requested Special Use Permit listed in Section 1202 of the Town of Dryden Zoning Law have been met, specifically that:

- a. The proposed use is compatible with the other permitted uses in the Conservation district and compatible with the purpose of this district as it is protective of ecological and open space assets;
- b. The proposed use is compatible with adjoining properties and with the natural and manmade environment, as this proposal is for a moderate expansion of a use that has existed on the property without conflict for several decades. The property is surrounded by state forest with the nearest residence being located over 500 feet away. Existing trees and the expanse of land screen residential uses from the proposed business;
- c. Parking, vehicular circulation, and infrastructure for the proposed use is adequate;
- d. The overall impact on the site and its surroundings considering the environmental, social and economic impacts (if any) of traffic, noise, dust, odors, release of harmful substances, solid waste disposal, glare, or any other nuisances has been considered and found to be negligible, based on the information and reasons in the Short EAF;
- e. No restrictions and/or conditions on design of structures or operation of the use (including hours of operation) are deemed necessary to ensure compatibility with the surrounding uses or to protect the natural or scenic resources of the Town;
- f. With the addition of some vegetative screening between Hammond Hill Road and the northern cluster of cabins on Site A, the project complies with the requirements for site plan review and conforms to the Town’s Commercial Design Guidelines to the maximum extent practicable in that: the site is screened from residential uses by the existing landscape and no new road cuts are proposed, and

3. The Town Board, finding that the applicant is in compliance with all other provisions of the Town Zoning Law and other applicable ordinances, approves a Special Use Permit for the expansion of the use of the existing facility for a campground and retreat center at 63 and 129 Hammond Hill Road with the Town of Dryden Standard Conditions of Approval as amended August 14, 2008.

2<sup>nd</sup> Cl Green

Roll Call Vote	Cl Lavine	Yes
	Cl Green	Yes
	Cl Servoss	Absent
	Cl Lamb	Yes
	Supv Leifer	Yes

**TOWN CLERK**

**RESOLUTION #93 (2018) – APPROVE MINUTES**

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

RESOLVED, that this Town Board hereby approves the meeting minutes of April 12 and April 19, 2018.

2<sup>nd</sup> Cl Green

Roll Call Vote	Cl Lavine	Yes
	Cl Green	Yes
	Cl Servoss	Absent
	Cl Lamb	Yes
	Supv Leifer	Yes

**CITIZENS PRIVILEGE**

**David Weinstein**, 51 Freese Road, said the first historic bridge Section 106 meeting was held in Syracuse with DOT and SHPO and someone from the Federal Highway Administration (FHA). It was an open discussion of concerns about the potential impact of the project on the historic 1886 Freese Road bridge. One telling moment was when the official from FHA indicated that because of the way the official statement of purpose and needs was crafted it precludes a full analysis of the options that might have been identified such as compromises that could eventually save the bridge in place in its current configuration. The criteria currently comes from the perspective of needing to make the bridge equivalent to a brand new bridge instead of coming from the perspective of trying to preserve a rare resource, including potentially acceptable compromises like adjustments in weight limits and widths that might allow the bridge to be rehabilitated. The town’s current statement doesn’t show an adequate acknowledgement or concern about the 1886 historic structure and its characteristics which are unique in the county and nearly unique in the state and the nation. Unless the town demonstrates that it has made a real effort to explore all avenues to rehabilitate the bridge for use in place, this Section 106 could bring the whole project to a halt. Fortunately they learned that it is not too late to rewrite the purpose and need statement to open it up to analysis of all possibilities and options for saving the bridge. We need flexibility in the criteria in the statement that demonstrate an openness to exploring all avenues to save the historic structure. He hopes the board will now rewrite the purpose and needs statement so that there can be a serious and realistic view of the options and compromises that can be considered for preserving and rehabilitating the bridge.

Laurie Snyder, 36 Freese Road, said she also attended the meeting with DOT. It was worthwhile to hear the various people speak about their perspectives. She stressed that the Freese Road bridge should be considered a cultural resource for the hamlet of Varna and the town of Dryden, much as beautiful old homes, churches, and the 8 square school house. She sees an opportunity to put a visit to the bridge into the curriculum for the 8 square school house. It is a significant bridge and it was quite a feat to build a bridge of its type and that scale at the time it was built. That bridge has survived since 1890. The abutments have been replaced, but not the bridge.

She is sorry that the application for the BridgeNY grant made no reference to the historical aspects of the Freese Road bridge. This was a serious oversight by the Dryden Town Board. The history and construction techniques make the Freese Road bridge eligible for historic bridge status.

An example given by Kitty Henderson with the National Bridge Foundation, who skyped into the meeting, is that the purpose and needs document cannot preclude bridge rehabilitation. Rehabilitation can satisfy purpose and need and she gave an example of an historic Minnesota bridge that was rehabilitated with lower load limits.

**Josie Schug**, 1654 Hanshaw Road, said she appreciates maintaining historic structures, but also is concerned with safety. Fire trucks cannot cross Freese Road bridge and it would increase the response time to her residence. The Rackers Center has a home across from the Armory and there is no way that the aids working there would be able to remove the residents in the case of a fire. She is concerned with safety and fire trucks being able to cross the bridge.

**Peter Schug**, 1 Penny Lane, asked the board to do its best to compromise on the needs of the community and their desire for the historical bridge. He understands that and weighs it against a safety issue with the bridge being too narrow for emergency equipment to cross, as well as the needs of the taxpayer. If we can come up with a compromise that utilizes the grant to upgrade the bridge and somehow maintaining the character of the bridge, he'd like to see the board work toward that.

**Janet Morgan**, 940 Dryden Road, read the following statement:  
Tuesday's meeting in Syracuse with DOT, B&L, SHPO and other alphabet folks revealed a significant truth about the Freese Rd. bridge project: the Town started the project with a focus on safety and maintenance. But since the bridge is eligible to be listed on the National Register of Historic Places, a focus on preservation is essential.

I trust you will be reworking the purpose and need statement for the bridge project to include preservation of the historic metal structure of the Freese Rd. bridge.

Although I did not feel well at Tuesday's meeting in Syracuse & didn't say much, I was listening carefully. I heard the B&L engineers say the existing bridge on Freese Rd. could be strengthened to increase its load capacity without damage to its historic integrity. This would allow even the heaviest emergency and maintenance vehicles to cross.

Then, there is the issue of bridge width. I've heard repeatedly that the six-minute delay for Varna's largest fire truck to use an alternate route could be disastrous. And yet, my educated guess based on experience and observation is that the largest vehicles are not the first ones on the scene of an emergency. Rather, it's the police cars, ambulances, fire chiefs vehicle, and so forth that get there first with the personnel needed to assess the situation, establish a chain of command, make a plan for rescuing victims, and start emergency medical treatment. And all of that can be set in motion without the biggest equipment being present.

There's a road in this town called Freese  
With neighbors, (fields, trails,) water, and trees. And a bridge that's historic.  
So here's my request categoric:  
Rehab and preserve our old bridge, please!

**John Burger** said many people have sent comments on the deficiencies of the report. At the end of a report under sustainability it says "allows individual and social transportation needs to be met in a manner consistent with human and ecosystem health and with equity within and between generations." That is quite a statement and he feels that so many comments being made seem to be so much about the bridge as a thing. There are so many aspects of this that are not really being considered. He isn't sure how the criteria were chosen. The DOT said their only criterion was safety. This has to do with many other issues besides this single one. There are studies that show what they are proposing to do would make that area much less safe. They have given us no good reasons for why they've checked the boxes they have. They checked no in response to a question about whether this was consistent with community and comprehensive plan and other local or regional goals. Many think there is a conflict there. There are many aspects and he'd like to see the criteria be more understandable and more clear on how it is evaluated.

Mike Lane said the intersection of Livermore Road and NYS Route 392 has become heavily used by residents of the area, traffic going to TC3, Farview Apartments and Greek Peak. He thinks the town should take into consideration that it is difficult when going up the hill to really see where the intersection is. There was a doctor killed there a number of years ago. He hopes that the Town Board will consider requesting installation of a street light there to make it more visible.

Supv Leifer asked R Burger to draft a request to NYS DOT.

### **HIGHWAY/DPW DEPARTMENT**

No report. The Highway Superintendent is dealing with an issue on Lake Road this evening.

### **RECREATION DEPARTMENT**

Supv Leifer said advertising for the summer music series and the summer and fall program ride has been completed and sent to print. (Monthly report is attached.) There is a Color-a-Thon event this Saturday along the Jim Schug trail. The Rec Dept will have space and a bounce house at Dairy Day on June 9.

### **PLANNING DEPARTMENT**

R Burger has submitted the Planning Department's monthly report (attached).

**473 Bone Plain Road** – This property has been the subject of numerous complaints over the years. Most recently, in April of 2017 a notice of violation was sent to the owner and the court took this up last June. There was another hearing last night and they postponed action pending Town Board action. The Town Board should tonight consider a Compliance and Remediation Plan prepared by the Code Enforcement Officer. It talks about the state of the property and lays out a plan for the town to clean up the rubbish on the property. Having the town DPW take care of it will probably be the most cost effective way of dealing with it. This is all done under our recently revised local law and procedure for dealing with property maintenance code violations. This starts a process where the property owner would be notified, they would have an opportunity to request a hearing before the board, but otherwise the town can start the process by adopting this plan and giving notice to the property owner. The plan is available on the town's website. The property owner, Ellen Ross, and her attorney have a copy of the plan.

Kevin Kelly, representing Ellen Ross pro bono, said he has limited experience with this type of thing and reserves any objections with respect to procedure or service. He proposes making maximum process given her minimum means financially and with her disabilities. The Court seems to be satisfied each time they come back based on the substantial progress she has made given her limitations. The Judge decided there was a win-win here where she disposed of much of the rubbish that was on the property. She obtained off-site storage for things that were salvageable and she sold an inoperable car that was removed from the property. When you look at the property, there is a 10-15% difference that she has made over the last year. In looking at the proposed plan he sees the assessment of the property is \$16,300, but the plan costs about \$19,200. On its face it looks like if she was given reasonable accommodation for her disabilities, because she is indigent, she's homeless, she'd be eligible for services of Adult Protective Services although she hasn't taken advantage of those, that could be part of the accommodation. Perhaps she could be given an ultimatum to use those services. He suggests tabling the proposal for a year to make more progress on the property.

Because poetry is encouraged at these events, he said:

Take another look at these two acres.  
The proposed plan results in loss-loss.  
Let's be patient and go for the win-win,  
Even if you don't care about poor Ms Ross.

Ellen Ross said she's written poetry about her property and watching the plows in the fields and the trees and her flowers over the years, but doesn't have it tonight. She did bring some of her art materials. She needs more time. When her house was burned due to arson, they cut her tree down in the front and it's rather hard for her to get the bins out from under it. She has to get someone to help with that. She still has several bins on the property that have perfectly good art material, fabric, thread and yarn in them. She is a working artist. She doesn't just deliver newspapers. She is in the quilt guild and has shown her art work at the quilt shows in Tompkins and Cortland and it's been in the library. She needs to get her materials that are still there. She has a lot of good stuff that she makes use of. It's still there and she wants it. She wanted to keep her house. Six years ago someone wanted to demolish it when it was standing and alright at that time. Things were messed up inside, but she did a lot of straightening and put stuff inside thinking it would be safe. But someone burned her house down. She lost a good share of her photographs, books and a lot of other stuff.

K Kelly said even if the tragedies that Ms Ross has been through don't matter, the current plan looks like a liability to the town and he urged the board to consider the progress that she's made while her case has been pending and do something that would be a win-win for those two acres. Please keep him advised as to the next steps.

R Burger said a year ago we had neighbors on Bone Plain Road attending board meetings while the board worked on a procedure to deal with the issue. The court has been attempting to remedy the situation since last June. Whether there is substantial progress is debatable and it is reasonable to expect a remedy given the history of the parcel being in such a deteriorated state for so long. The site has been visited a number of times and there have been small increments of progress. It remains substantially as it has been for years now.

Ms Ross said the Rescue Mission has been helping her with staying at the EconoLodge and she has some of her stuff there and in a storage unit. The house is pretty much totaled but she has stuff underneath.

K Kelly said if Ms Ross allowed Adult Protective Services to intervene she'd be given a year for this to be tabled. He's learned that some stuff could be buried on the property. She could also sell the property. It seems that spending almost \$20,000 on a property that's only worth \$16,000 will be a net loss for the town, and also a loss for Ms Ross. There is a limited mortgage on the property and if it were sold at auction, that's another liability for the town to consider. He would like to table the matter during the good weather season so she has an opportunity to do something with the property.

There was discussion about burying some of the material on site and saving some expense on the plan and/or giving Ms Ross an opportunity to remove what she wants from the property this summer. Ms Ross is due back in Court the 3<sup>rd</sup> Wednesday in August. Supv Leifer said we'll know by the board's August agenda meeting if progress is being made. Cl Lavine would like an estimate of the cost to bury on site in the meantime. Kevin Ezell will take pictures tomorrow and then pictures monthly as a way to measure progress. The matter was tabled to the August agenda meeting.

**Trinitas Development Update** – This firm from Indiana held an open house in Varna on May 14. Twenty local community members attended. Six members of the development team laid out an early concept plan and gathered feedback. R Burger expects an application to come in using that input. Trinitas is looking at about 200 townhomes on the Lucente property behind the community center between Route 366 and Mt Pleasant Road. When the application is received he will bring it to a town board meeting for an introduction and so that Town Board can provide feedback to the Planning Board. Applicant will need a special use permit for multi-family housing.

**Apple Orchard PRV** – R Burger reported that TG Miller has given our attorney a list of items necessary for an intermunicipal agreement. It will probably be another month before we have a document.

## COUNTY BRIEFING

**Mike Lane** spoke about the grant received for the airport. A lot of folks were present for the Governor's announcement. The two grants announced are:

14.2 million dollars for the airport for terminal expansion and a local customs facility so that international travelers can come directly into Ithaca (via private planes for the most part).

To relocate the DOT facility off the inlet in Ithaca and move it to the proposed industrial park area by the airport. This is good for Dryden because the matter has sat for a long time and the last rendition had the DOT moving near the Village of Dryden. The Village was never happy about that. It will be better at the location near the airport and pretty much adjacent to Route 13. M Lane acknowledged Martha Robertson's work on this matter.

There will now be direct service from Ithaca to the Dulles airport in Washington.

**Martha Robertson** thanked Mike Hall for putting together a great application and identifying the land for the DOT near the airport. The attorneys are working on the land issues, engineers are working, and financing is an issue to be resolved. The project will probably be 22 million dollars, and 14.2 million will be covered by the grant. DOT will probably now sell the land in Dryden and the downtown site. The non-stop flights to Dulles is a big deal, but they had to give up the service to Newark. She said it was less reliable than service into Dulles because of weather patterns. They are working on a bus service to Newark airport that would deliver passengers behind security so it is much more convenient.

TC3 gave a presentation to Tompkins and Cortland County legislators. The counties have to agree on what the shares are. Currently Tompkins pays about 2/3 and Cortland 1/3 of student enrollment. Even if we could afford to raise TC3's allocation, we are constrained by whatever Cortland County can do. TC3 hasn't had an increase in four years.

M Robertson said she was at the Trinitas open house and told their representatives to do some ownership units, not just rentals. The Assessment Department has told the legislature that they are starting to see a softening in the rental market already. We know that there are many housing units in the pipeline and plans now, including 2,000 beds for Cornell students within ten years or so. She asked them to pay attention to that because we don't want to be in a situation where we have excess rentals and people still can't find a house to buy. We've wanted this rebalancing, but with the lag time from planning to turnkey, you don't want to be building without knowing what's in the pipeline right now. The housing committee will meet on Monday and have a report of all the units that have been built in the last few years and are in various planning stages and what is in the works. Trinitas is in a really important location and she asked board members to help them get it right. It seems the ownership units required in the county are not getting built, in particular anything under \$200,000.

## ADVISORY BOARD UPDATES

**Planning Board** – Cl Lamb reported that the Planning Board had a robust discussion about Varna and David Weinstein presented some analysis he had done about the buildout in Varna and the ratio of rentals vs owner-occupied housing that needs to be kept in mind in terms of the Varna plan. There was a good discussion. It was pointed out that if we make Varna very restrictive in terms of building there will be a leapfrog affect and developers will look

further down the road and we could get more sprawl, something that we don't want. There is some balance that needs to occur in allowing development in a way that we want and not just having a continuous sprawl of housing down Route 13 all the way to Cortland.

There was also a presentation on a proposed housing development near the Ellis Hollow Community Center by Natural Dwellings putting in five to seven residences there with most of the 44 acres in a conservation easement. This would be a cluster of housing further from where we have a concentration of residences and whether that is a good thing and is one of the things we need to have discussion about. The Planning Board gave them some direction and they will be back with some revised drawings.

**Ag Advisory Committee** – Supv Leifer said the next step for them is the zoning definitions and revisions. The right to farm signs were discussed last week. The Town Board approved the funding and the Highway Superintendent will work with the committee on the sign design.

**Rail Trail Task Force** – Supv Leifer has signed the contract for the grant from Tompkins County Strategic Tourism Implementation for \$26,000 earmarked for looking at options for crossing Route 13 and necessary work at the FH Fox bridge. A contract with Barton & Loguidice for them to do the design work will be forthcoming as well as a contract with TG Miller for studies for the FH Fox bridge and trails to go under the Route 13 bridge at Fall Creek. Cl Green thanked Todd Bittner and Bob Beck for writing that grant proposal. She reported the Task Force has applied for an \$8,000 AARP Community Challenge grant. If awarded that would pay for three kiosks on the section of the trail between the villages of Freeville and Dryden and seven benches along that same section. The Task Force will be deciding on the final logo at its meeting on May 21. They will have a booth at Dairy Day on June 9.

Bob Beck reported the last of the easements from Cornell has been received. There are others in the works.

Cl Lamb said there is a pending Volunteer Service Agreement with DEC awaiting approval. The DEC has received some pushback from hunting lobbies on the matter. The DEC would like town to open up some property to hunters to balance things out and make sure that hunters get something out of the deal. He has asked the DEC to meet with representatives of the town about how to allow hunting on certain property owned by the town.

**Emergency Services Committee** – Supv Leifer said this committee is different than a disaster preparedness committee. This has to do with the fire and ambulance service providers for the town. They held their initial meeting May 9. It was well attended and there was discussion on mutual aid and the fire contracts. Initial goals include development of a new contract that will lay out more detail in what municipalities expect of the emergency service providers so there is a way to measure the way we fund them. The biggest need is still volunteers for the departments. The mutual aid plan is important because not all volunteers are available during the day. At some point they'll be figuring out how to have equipment placed where it's needed and not be as concerned about which department supplies the equipment. That is why having bridges that can support the large engines is important.

**Swift 911** – Janet Bretscher has provided Supv Leifer with a proposed resolution forming a committee and he has shared that with board members. The reason for formation of the committee was for alerts for the Borger station, but they thought perhaps they would also do some work for safety and disaster preparedness for the town of Dryden. They would like to develop some sort of pamphlet and information to share with town residents and to develop a matrix identifying potential places that might be shelters throughout the town and a map

showing those. They would like to coordinate with Tompkins County’s emergency preparedness team and the Red Cross.

Their first task will be to get the Borger 911 alerts up and running. Dana Magnasun will be the person that Dominion contacts and she will send the message through the Swift 911 system. So far they have had 59 people sign up to receive these and are working to get the word out that this service is available to community members. They’ve made a poster with information about how to sign up and are distributing those around town. She asked that it also be shared on the town’s website.

Supv Leifer said the proposed resolution will be taken up by the board in June.

**Conservation Board** – Cl Servoss reported the Conservation Board is concerned about the amount of chemicals from pesticides found in bodies of water in the area. They are wondering what they can do about use of those chemicals and fertilizers. They passed a resolution recommending the establishment of a fund for conservation easements and are looking into the types of funds that can be used and ways to put money into those funds including grants. They have recommended that the Natural Resources Conservation Plan be attached to the Comprehensive Plan and are thinking about asking that the Comp Plan be updated. They are discussing monitoring small scale conservation easements such as the ten acre plots that are being donated. They want to be able to have a representative visit the land on an annual basis to make sure it is being set aside as provided for in the original agreement. M Richmond is working on guidelines and things to look for. They are considering a deer management program in the Town of Dryden and looking at the proposed plan for the Town of Ithaca. They also discussed talking with large property owners who might open their land up to hunters and figuring out how they could work together.

Supv Leifer suggested charging the Conservation Board, Planning Board and Ag Committee with providing an analysis of the Comp Plan and budgeting in 2019 for a consultant to help with the review. The boards would suggest which areas need to be updated and how, and that would provide a basis for the RFP for a consultant.

**RESOLUTION #94 (2018) – CHARGE TO BOARDS FOR COMPREHENSIVE PLAN REVIEW**

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

RESOLVED, that this Town Board hereby charges the Planning Board, Conservation and Agriculture Advisory Committee with the task of reviewing the Comprehensive Plan and making recommendations for changes and amendments to the Town Board.

2<sup>nd</sup> Cl Servoss

Roll Call Vote	Cl Lavine	Yes
	Cl Green	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**OLD BUSINESS**

**BridgeNY Update** – At the recent meeting in Syracuse it was determined that the town needed to update the purpose and needs statement. The grant application for the Freese Road Bridge submitted in 2016 stated “rehabilitate or replace the existing single lane bridge to safely accommodate pedestrians, maintenance, emergency and delivery vehicles while making it a maintenance free bridge for the Tompkins County Highway Department”. At the meeting they decided that statement needs to be re-written. It should not preclude rehabilitation, should

take into account safety, and take into account the historic structure and possible preservation. Cl Servoss said any project should be concerned with safety first and she would like that emphasized for the travelling public. Supv Leifer would like that re-written by June so the Section 106 review can move forward. He added that work done to date has not been wasted and the public input has been valuable. A more extensive list of options will be used based on the revised purpose and needs statement.

**NEW BUSINESS**

**Make Payments Outside the Abstract & Add New Budget Line** – There were three vouchers that did not get in the last abstract for various reasons that need to be signed and approved. There needs to be a budget line added in order to pay expenses associated with the emergency responder recognition dinner. The money will come from SF1 fund balance that accumulated when money was held back four or five years ago that had been allocated for a certain department to purchase equipment that the department then didn't need.

**RESOLUTION #95 (2018) – APPROVE BUDGET MODIFICATION**

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

RESOLVED, that this Town Board hereby approves the following budget modification:

From SF1-999 Fund Balance	To SF1-3410.4 Fire Prot Cont Misc	\$1,918.75
2 <sup>nd</sup> Cl Lamb		

Roll Call Vote	Cl Lavine	Yes
	Cl Green	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**RESOLUTION #96 (2018) – APPROVE PAYMENT OUTSIDE THE ABSTRACT**

Supv Leifer offered the following resolution and asked for its approval:

RESOLVED, that this Town Board hereby approves payment outside the abstract of the following:

American Dining Creations	\$1,378.75
Specialty Trophy and Awards, Inc.	540.00
Northeast Renovation, Inc.	750.00
2 <sup>nd</sup> Cl Lamb	

Roll Call Vote	Cl Lavine	Yes
	Cl Green	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**LED Proposal** – postponed to next month. Cl Servoss reported that she had spoken with Rick Young about this and the company that gave us a quote is the only one that NYSEG is working with and they have a contract effective for the next several years. She believes that the savings the town would realize would more than cover the expense of installation.

**Bridge Liability** – Supv Leifer said he had forwarded an email from the town attorney to board members regarding bridge liability and asked that if they have questions they contact the attorney directly.

Supv Leifer asked board members to review the BridgeNY applications from last September.

There is a workshop on implicit bias that board members may be interested. Supv Leifer provided them with that information.

Cl Lamb said the signs that say Welcome to Dryden and Welcome to Groton on Gulf Hill Road are misplaced by about 100 yards. He will talk with Rick Young about that.

There being no further business, on motion made, seconded and unanimously carried, the meeting was adjourned at 10:00 p.m.

Transcribed from recording.

Respectfully submitted,

Bambi L. Avery  
Town Clerk

## Recreation Department Report

April 2018

### Recreation Office:

- Summer/Fall program guide is finished and sent to print.
- Summer Music Series bands booked, contracts, and promotional flyers done.
- Survey created for the older adult to generate ideas/interests for programming for that demographic. Surveys have been done at the library, café, senior housing, and during a monthly senior luncheon/meeting.
- Registration for all summer programs and camps open.
- Currently working with RecPro to update our website to make it more user friendly and more visually appealing.

### Track

- Last day of the track program is May 23<sup>rd</sup>.
- 5 students participating in the Jr. Olympics, hosted by the Ithaca Youth Bureau at Ithaca High School.

### Yoga

- A new Yoga class has been added at Ellis Hollow Community Center
- Classes are Friday nights from 5:45pm-7pm. Cost is \$5.00 per class
- First class May 11<sup>th</sup> only had 3 participants.

### Color-A-Thon

- Event is this Saturday May 19<sup>th</sup>.
- Donations from Wegmans, Tops, and Price Chopper totaling \$95.00 to help cover costs of fruit/water for event.
- 70 participants pre-registered for the run. Shirts and supplies have been ordered and delivered.
- 9 volunteers for the event

### Fit Trail System

- The installation of the Fit Trail System has begun by the Highway Department

### Dairy Day

- Space and Bounce house reserved for June 9<sup>th</sup>
- 3 on 3 basketball tournament being held during Dairy Day at Montgomery Park.
- Registration is open and looking for volunteers.

(over)

## Summer Music Series

### Music In The Hollow

- The Frank Raponi Experience
- Madd Daddy
- The Small Kings
- Terrapin Station
- Joe Crookston & The Scratch Squad
- LIL Anne & Hot Cayenne
- Ridgeline

### Music On the Hill

- Julia Felice & The Whiskey Crisis
- Pete Panek & The Blues Cats
- Noon Fifteen
- Mathews Family Tradition
- Kitestring
- Ageless Jazz Band
- Small Town Shade

-Marty Conger

**Memorandum**

Date: May 16, 2018

To: Town Board

From: Ray Burger, Planning Director

Subject: Planning Department Update

**Application materials** and other documents for the items below can be found at:

<http://dryden.ny.us/departments/planning-department/permit-review-links/>

**Trinitas development in Varna south of Route 366 and Mt. Pleasant Road:** Trinitas Ventures' is considering building multi-family housing on several parcels to the east of the Varna Community Center (VCC). Their development team held an open house at the VCC on May 14 to get some community input and about 20 community members attended.

**Special Use Permit for Camp Earth Connection at 63 and 129 Hammond Hill Road:** The operator of this camp wants to expand the operation and has applied for a Special Use Permit (SUP) to add 9 cabins and a small lodge. A hearing will be held at the May 17 Town Board meeting. This is an expansion of a pre-existing nonconforming use and as such requires a Special Use Permit.

**Unsafe Structure at 107 Morris Road:** The Town's Code Enforcement Officer has declared the structure on this property to be unsafe and dangerous to the public. He recommends that the structure which is incapable of being safely repaired be removed from the premises. A public hearing will be held at the Town Board meeting on May 17 and the board will consider next steps.

**Property maintenance complaints at 473 Bone Plain Road:** This property has been the subject of complaints for some time. A Compliance and Remediation Plan has been prepared by the Town's Code Enforcement Officer and the Town Board will consider its adoption at their May 17 meeting.

**Water supply for 802 Dryden Road Townhomes:** The developer will be extending the public water main to their property line in order to connect to a water supply. The Town's engineer and attorney are drafting an agreement for the Town to accept ownership of that part of the water infrastructure that is installed in the DOT's right-of-way.

Planning Department activity for **TOWN** -April 2018

Building permits: 21

Zoning permits: 9

Special Use Permit Reviews: 1

Site Plan Reviews: 3

Variance reviews: 1

Fire safety inspections: 2  
Building inspections: 34  
New businesses: 1  
Subdivisions: 1  
Violation notices: 0  
Complaints: 3 (drainage, signs, property maintenance)  
Fire calls: 0  
Training hours: 12

Planning Department activity for VILLAGE -April 2018

Building permits: 2  
Zoning permits: 1  
Special Use Permit reviews: 0  
Site Plan Reviews: 0  
Variance reviews: 0  
Fire safety inspections: 13  
Building inspections: 6  
New businesses: 0  
Subdivisions: 0  
Violation notices: 0  
Complaints: 1 (property maintenance/pests)  
Fire calls: 0