

**Planning Board  
July 26, 2018**

Present: Martin Moseley (Chair), Craig Anderson, Tom Hatfield, Joseph Wilson, David Weinstein, John Kiefer, and James Skaley (Alternate)

Absent: Martin Hatch

Town Staff: Ray Burger, Planning Director

Liaisons: Alice Green, Town Board  
Peter Davies, Conservation Board

Chair Moseley called the meeting to order at 7:03 p.m.

Review and Approval of minutes from June 28, 2018:

Clarification of Resolution #11 - intent was to waive further site plan review.

T. Hatfield moved to approve the minutes as amended per discussion. D.

Weinstein seconded, the motion was unanimously approved.

**Public Comment** regarding items not on the agenda:

Shirley Lyon:

Presented "Mineah Road Project" by Richard Wawak stating he was building 3 cottages with 2 bedrooms and a loft. Occupancy would be 6-8 people. When Mr. Wawak spoke with the Health Department, the loft was a bedroom, which would bring the total occupancy to 9-12 people. The Health Department advised Mrs. Lyon there was going to be continual building at Mineah Road. Mr. Wawak's letter to Mr. Sprout did advise that there could be additional building. May decide to divide lot into two equal frontage using existing crossings. Mr. Moseley stated in the last meeting that we could not prove intent but now intent is there and there is nothing we can do about it. When she called NYS she was told our Comprehensive Plan is inconsistent with zoning in this area. We have 20% slopes and he went to a 25% slope area and is now building in his well site. He has reshaped it all before he has gotten Mr. Ezell back there to look at it. She was also advised that if the code officer is uncomfortable with making this inconsistency, being a legal question between the Comprehensive Plan and our zoning regulations, he has a right to send it back to the Planning Board for further review. She has called Kevin Ezell and asked him to bring it back into the Planning Board. He refused and is going to issue the building permit. Her options are going to the Zoning Board of Appeals and then Article 78. She would like the Planning Board to request that Mr. Burger ask Mr. Ezell to reconsider his decision before he even finishes the application. Mr. Wawak does not have any vested rights, plan was adopted in 2012 and he purchased his land 4-5 years after that.

The intersection study has come back but has not yet been analyzed. She is concerned deforesting and taking away the pools will cause erosion and more water to come down and ultimately end up on Route 13. Our comprehensive plan states that the bedrock going down this deep usually has a minimal water flow and the water quality is poor. Mr. Wawak is experiencing trouble with chlorides in his water and we already have some contamination of some wells. He has fractured it 3 times and he got a gallon and a half. She spoke with him today about his intentions and he advised that as soon as he gets the water he will build.

Ray Burger will obtain the traffic data from NYS DOT and will see if DOT have it analyzed by someone and returned to the Town. Shirley Lyon stated she does not want to have to take it to the Zoning Board of Appeals and then an Article 78, as she doesn't feel that would be beneficial to anyone here.

Discussion ensued regarding size of lot and slope. J. Skaley stated that according to town law, if the zoning is inconsistent with the Comprehensive Plan then zoning needs to be revised. Spot zoning was discussed and M. Moseley asked R. Burger to have a discussion with the town attorney with regards to procedures if code official is not comfortable, and what our options are.

S. Lyon stated they have been denied their right to conservation. R. Burger stated there was no formal proposal to the town board for a re-zoning to conservation of that parcel.

D. Weinstein stated that we had never gotten a clear message from the Mineah Road citizens, through you, that you wanted conservation. We have a petition from some sub-section of the people but it wasn't, in his estimation, universally agreed that that's what the change was that they wanted to make. S. Lyon stated they had amended the original petition, all signed it and sent it back in. D. Weinstein- Most of the citizens of Mineah Road are requesting that the zoning be changed to conservation. M. Moseley advised her it would need to be presented to the town board, who would then have to give us a charge to move forward.

### **121 Sweetland Road Sketch Plan Review**

Tammi Young/Steve Card would like to put a second home on a 3-acre lot. Board members reviewed D. Sprout's memo.

- M. Moseley confirmed with R. Burger that 239 is not applicable in this scenario. Two dwellings will utilize the same well and septic. She is looking to have a 2<sup>nd</sup> driveway.
- D. Weinstein – New driveway is 30' wide at road cut? *That is typical for most driveway entrances.* C. Anderson confirmed. He questioned the

map of the property and wetland area and asked if they would be running new water line through wetland in rear of property? *They are not going into that area at all.*

- C. Anderson – Is it possible to put a turn-around in their driveway, due to the dip in the road and safety issues? *They would have an area to turn around in so they are not backing into the roadway.*
- J. Wilson – What is the age and condition of the mobile home you are bringing in? *It is a 1990, but everything has been updated on it. New windows, doors, furnace, hot water tank.*
- J. Wilson- Fuel? *Propane. Insulation – HUD approved, full belly wrap, no holes or issues – inspected prior to purchase.*

T. Hatfield made a motion to waive further site plan review, seconded by J. Wilson, unanimously approved.

M. Moseley appointed Jim Skaley as a voting member due to the absence of Martin Hatch.

### **RESOLUTION #15: Sketch Plan Approval 121 Sweetland Road**

D. Weinstein made the following resolution:

RESOLVED, that this Board hereby approves the sketch plan for a second home to be placed on the property at 121 Sweetland Road, with no conditions.

Seconded by T. Hatfield and unanimously approved.

### **Grass Masters Landscaping 2025 Dryden Road Sketch Plan Conference**

Grass Maters explained that they currently run a full-service landscape business out of 1808 Dryden Road, including retail sales of stone and landscape products. They feel the property at 2025 would be a good fit to expand both the landscaping and retail aspects of their business.

- T. Hatfield verified with Grass Masters - they would be moving their business to the 2025 Dryden Road location in place of the 1808 Dryden Road location.
- D. Weinstein – Discussed the Class A stream that cuts through the NE portion of the property and County’s recommendation for at least a 50’ buffer around where nothing is done within the 50’ buffer (no material storage, leave it unaltered/used). This is a condition.
- J. Wilson – Looking at the short environmental assessment form prepared by the planning department and #9 asks if the proposed action meet or exceed state energy code requirements and the answer is no.

Why and what needs to be done to meet the state energy code requirements? *Property is grandfathered, as it was built in 1993*

- R. Burger – 5 areas in the information provided by the applicant that he would suggest being changed and agreed upon with the applicant.
- D. Weinstein -What would be required to bring the building up to current energy code and how expensive/practical it would be? Grass Masters and R. Burger could not give an answer to that question. *They would like to reduce energy cost and would make improvements in the future as finances would allow. LED light bulbs, insulation, and making the building as energy efficient as possible.* D. Weinstein inquired as to the nature of the building and was advised it is a slab on grade, steel reinforced pole barn style structure that is 50% warehouse and 50% insulated offices/shop space. D. Sprout's memo (reports/memos are always very helpful – Thank you again), listed multiple areas where there are variations between what is required by the site plan review checklist and what was provided. Why shouldn't all those discrepancies be addressed before we decide? *That is what we are here to do, to get clarity on what needs to be done.*
- C. Anderson- Any salt storage? *No.*
- Handicapped entrance? *There will be two handicapped entrances.*
- Dumpster –*We do not believe we will be putting a dumpster on this site, as we already have one at our present location. We take any recycling items down to the Recycling Center. If at some point in the future we decide to bring in a dumpster we agree to either build an enclosure or put vegetation around it to screen it from the neighbors.*
- D. Weinstein – condition will be added that if a dumpster is put on site it must be screened from the neighbors. R. Burger reviewed the screening requirements and the buffer requirement.

7:38 Martin Hatch arrived

- M. Moseley addressed the zone (mixed use commercial) there is a requirement for a 20' buffer, regardless if there is a dumpster or not. To be complied with the minimal standards required by zoning.
- T. Hatfield inquired about lighting. *We may add some more lighting in the future but it would not be excessive.*
- D. Weinstein asked if existing lighting on building is pointing down? *Yes. When we put in the sign and sign light we will spec that out to whatever the requirements are. We will be using LEDs and will keep the light from shining onto Route 13 and becoming a traffic hazard.*
- J. Wilson What is the final decision about screening? D. Weinstein advised we decided that they will follow our code and that was acceptable. J. Wilson inquired how that would be enforced or checked on and T. Hatfield responded that it would need to be in compliance before a C.O. would be issued.

- J. Kiefer inquired if the business was open to the public after dark?  
*Yes, due to time change and early evening being dark. There is an existing light on the building that will light up the parking lot.*
- D. Weinstein – Samples can be put out by the road. Discussion took place regarding how Grass Masters will get to the pallet storage area.
- Hours of operation? *M-F 8 a.m.-6 p.m., Sat 9 a.m.-3 p.m., Sun 9 a.m.-3 p.m. Sunday hours are only if the business takes off enough to warrant being open on Sundays.*
- M. Moseley questioned R. Burger;
  - Is the SEQR modifying the building? No.
  - It's not a new use, a change in use? Yes.
  - Modifying some of the existing area but they are also proposing a basic slip to comply with storm water regulations as approved by the storm water management officer, correct? Yes
  - What triggered SEQR in this scenario? Change of use, due to added retail exposure. The change of use is considered a type what action? Unlisted.

*The only modification being done to the building is a garage door entry.*

D. Weinstein suggested they go through SEQR:

- Regarding archaeological sensitive area – doesn't apply.
- Marked that they have access to public water supply and public wastewater, that can't be right. R. Burger – existing private well and septic.

R. Burger recommended going through and suggesting corrections to the Short EAF questions. I would start with #5. M. Moseley – we need to start with #1 on the applicant's version:

- 1) *No.*
- 5) *Yes.*
- 5b) *Yes.*
- 10) *Yes.*
- 11) *Yes.*
- 13a) *Yes (A stream).*
- 13b) *No; eliminate wording trib as it doesn't come into play*
- 14) *should be checked: Agricultural/grasslands; Early mid-successional; and Suburban*
- 17) *Yes – water flow will remain as is.*
- 17a) *No.*
- 17b) *No*

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T. Hatfield made motion for no further sketch plan review, C. Anderson seconded. Unanimously approved.

M. Moseley- Part 2 Impact Assessment all negative answers. Part 3 - Determination of significance, agreed to check 2<sup>nd</sup> box proposed action will not result in any significant adverse environmental impacts.

**RESOLUTION #16 NEG SEQR DEC  
2025 Dryden Road**

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

- A. The proposed action involves site plan review and moving of a landscape business including retail sales of mulches, gravel, stone and other items with regards to landscaping.
- B. The proposed action is an Unlisted Action for which the Planning Board of the Town of Dryden is the lead agency for the purpose of uncoordinated environmental review.
- 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 short Environmental Assessment Form, Part 1, 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;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1) The Planning Board of the Town of Dryden, based upon(i) its thorough review of the short EAF, Part 1, 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 in accordance with SEQR for the above-referenced proposed action, and
- 2) M. Moseley is hereby authorized and directed to complete and sign as required the determination of significance, confirming the foregoing Negative Declaration.

David Weinstein seconded the motion which was unanimously approved.

M. Hatch was reappointed and J. Skaley no longer has voting authority.

## **2025 Dryden Road Site Plan Review**

M. Moseley presented possible conditions for review:

- 1) 50' buffer along class A stream. Measurement of distance would be from the thread of the stream. No buildings or impervious are to be placed in this buffer area.
- 2) If a dumpster or similar structure is provided, acceptable screening shall be provided consistent with the commercial guidelines
- 3) Existing buffer on the South side shall be maintained as the buffer
- 4) Exterior lighting – Darstag compliant, full cut off lighting on the signage and the exterior lighting.
- 5) Handicapped parking and bathroom(s) -will be compliant with existing code.

### **RESOLUTION #17 – 2025 Dryden Road Site Plan Review**

T. Hatfield offered the following resolution and asked for its adoption:

RESOLVED the Town of Dryden Planning Board hereby approves the site plan provided by Grass Masters subject to stated conditions.

Seconded by M. Hatch, approved unanimously.

### **Planning Department Update – 802 Dryden Road**

Site Plan Approval by this Board last year, we've seen a couple of updates that have influenced the outside profiles of the buildings and we now have an update to some of the floor plans inside. We also have the new owner of the property here, Matt Durbin, who will be executing this project.

D Weinstein- Any changes were made to the original, approved plan?

*Two-bedroom units on the first floor: No added bedrooms, have not changed the footprint but what we have done is opened up the two-bedroom units. We moved the kitchens to the rear of the buildings, which creates a true open living/dining area. This allowed us to push the bathrooms out of the kitchen to the living space, which resulted in a full-sized pantry being added to the kitchen area. A coat closet has been installed under the stairs.*

*Four-bedroom units: We did the same thing. We pushed the kitchen to the rear of the unit, added a pantry, and were able to add washer and dryer space and storage where the water heater is located*

*Two-bedroom units – wanted to capture more of the master bath feel for our residents with children. We have added a connecting bathroom, which really opens it up, you get to keep your full tub and shower, but now you get a dual*

*vanity. We made this change to two of the units (one unit per building) we were able to put in two water closets and a Jack and Jill bath.*

*Three-bedroom units- there was an open “dead” space 8X9 room that gave access to the balcony. What we find in our three-bedrooms a lot of times is that people still want a second-floor master. By putting a master bathroom in the “dead” space you are still connected to the balcony. Additional storage provided by a linen closet. No external changes were made.*

*All the same changes were made for all six buildings. Although building A does not have the doors to the back patios because these are the ones that face Dryden Road. All the buildings that are on the interior will have a door back by the kitchen that leads to the back patio.*

M. Hatch questions and answers:

1) You talked a lot about families. Could you explain how the dynamics fit together with the notion of family residents that curate the property in ways that one can imagine that renters might not have the same responsibilities or feeling of obligation? *We budget for turnover expenses i.e., painting, flooring. Our ideal tenant is one that is long term.*

2) What are the economics that are pushing this to be strictly rentals vs. rent-to-own or condos? *We are not home builders, we like to build rental properties. Design wise and building code wise it is a different animal. Not to say that that’s not an option. A development of this size of 42 units, to condo out would be high price units for the market. This would price a lot of folks out of the market. You’d be competing with the single-family home buyer; that’s not who we are targeting.* M. Hatch stated this information is very helpful for us to hear these things. There are places, like in Lansing, that have made the transition and are condominium like it’s curious to me as a planning person.

3) What are the mechanisms whereby one could get a reliable, long-term renter/family into a place? And how does one market it, price it, and \_\_\_\_\_ that one does not get close to Cornell’s campus, in a four-bedroom place, a large number of students? *Multiple things, I don’t set the price, the market sets the price in terms of supply and demand. These are market rate and we will charge what the market bears for the units. We have specifically designed amenities that target those families in terms of a playground, patio, dog parks, quiet hamlet, near The Plantations. We don’t have a lot of the amenities that are geared more towards student rentals. No large community place where beer pong is being played. We don’t have those type of amenities. That’s what you’re really marketing.*

J. Skaley -Charlie Connor no longer has anything to do with this? *We are partnering with Charlie and his team.*

D. Weinstein – One of the things that Charlie stressed was his strong desire to get a mixture of families and young professionals. One of the things that scares me about a switch of ownership is that you may not have the same dedication to that. If you're faced with a family here and 4 students that both want to be in that 4-bedroom, I want to know that you are going to lean towards the family. *We are both aligned on that. Students treat apartments differently that families treat apartments. When you have longer term you have a different mindset. Charlie and I share that sentiment or we wouldn't have found a way to work together to bring this project to fruition.*

***Review of Trinitas townhome project in Varna  
959 Dryden Road***

Trinitas representatives: Kimberly Hansen and Evan Bryant. Questions answered by Kimberly Hansen unless otherwise noted.

M. Moseley – This has been presented to the Town Board? *Not the exact presentation, but yes.*

The Town Board has requested input from the Planning Board is my understanding. *Yes, I think I've heard from some of you before but we are excited to get some more feedback tonight. I'm not reinventing the wheel with this presentation. It's largely taken from both the intro and the sketch plan that we did. Still work in progress and there will probably be some significant revisions in August. We can keep that in mind as we discuss it.*

*We are requesting approval for a Special Use Permit from the Town Board for site development of this property along Route 366 in the Hamlet of Varna. Kimberly provided a copy of the site plan they had already submitted and reminded the Planning Board that it is work in progress and they can expect significant changes. Right now, there are 220 units of townhomes with a mix of 1-4-bedroom units, a clubhouse with luxury amenities, pedestrian access to the Varna trail, a playground along Varna trail, there is currently 800 sq. feet of commercial space, we are doubling that. There will be a village feel. It is currently 13.17 units per acre. We are seeking the redevelopment and green development bonus.*

*These were the variances requested on this site plan, it will be reduced in the future:*

- We have 25% reduction in parking offset by our shuttles*
- 9% reduction in green space, reduced rear-yard setback for one building, the next site plan does fix that*
- Perimeter buffer setback to remove 15' offset by the buffer by additional landscaping*

*This is just the start of our design process. We have a pretty significant design meeting on August 6<sup>th</sup>, but this is our exterior concept. (She showed a diagram of*

*the project) On the left is where the commercial space will be if you are looking from Dryden Road and this would be the street view looking North towards Dryden. This gives you an idea of the look and feel we are going for with natural colors.*

M. Hatch-Are the upper stories residences? *Yes.*

M. Hatch- If all along the base facing Dryden Road are residences on the first floor? You said there was some commercial. *There is also 1,600 sq. feet of commercial space.*

M. Hatch-Are there some residences facing Dryden Road? *Yes. She showed an example of the clubhouses they have done in the past. What will be unique about this clubhouse is that there will be units above it. Clubhouse will include community space, gym, and pool.*

*We will be focusing on green practices in our building design, we are exploring solar energy/renewable energy solutions, limiting greenhouse gases and looking into heat pumps. We know we need to reduce variance requests related to green space. Parking – we know there is a concern over traffic impacts. We are getting the traffic study started now and hope to have it done by September. We are continuing to look at the Varna Redevelopment Plan to make sure we are in line with that as much as we can be. We know that storm water management has been a priority for a lot of the neighbors. We will be making the situation in the area better and will certainly be working to make sure it is better than adequate. The commercial space along Dryden Road needing to be doubled is something we can easily accommodate and will be doing.*

J. Skaley – You will need a variance for the commercial space because it is zoned residential. R Burger advised there are all 3 zones represented in this project.

*We have an outreach platform for community engagement in the development process. We have had a community meeting and continue to invite the community to give us feedback. There are questions on there, it will tell about the meeting we are having and encourage people to come out. As we make updates to our plans, even though they are available on line, we will also have revised site plans, floor plans will all be on the platform.*

M. Hatch - Any pictures of the buildings? *No, as they are still in the development design phase. Our first significant meeting to nail down what floor plans, units and all that will happen before the next board meeting.*

M. Hatch-Does the crosswalk in the picture cross Dryden Road? *Yes, but it does not have to stay.*

M. Hatch questioned the commercial space. *We will only have the one commercial space; however, the feedback they have received indicates 800 sq.*

*feet would not be adequate for a commercial tenant. They have not yet lined up a tenant so if we have any suggestions they would be open to that as well.*

P. Davies – asked that the initial site plan be put up on the screen. He is concerned about the extent of parking that would be blacktopped and that water would not be able to soak in and I would therefore like to request this entire project be submitted to the Conservation Board for consideration.

D Weinstein – With regards to that issue, you mentioned you are requesting a 9% reduction in our required green space so you would have just 51% built/49%green space. However, the information submitted to us and the Town Board clearly says you are going to have 60% impervious space so you have inconsistencies. *The calculation being referred to has to do with our environmental submittal and the calculation for that is different from what is required for this.* I don't want to lose my temper. You're asking boards to make decisions based on the best available information that you are providing to us. Besides a huge sweep of at least 25 errors/conflicts in your environmental submittal with information you provided elsewhere, is this one that clearly says 60% of the land is going to be impervious. Now that is not a calculation. It is either 60% or it's not. *I beg to differ. I want to be respectful here, but the way it's calculated for the town you can include your sidewalks and any paths that would provide connectivity.* Only the sidewalk that goes from the development to the trail, which is not very large. Not the other sidewalks. You're playing games here. *If we need to break that down further and bring it again I am happy to do so, but I do know they are different.* What we are concerned about is how much impervious space there is and you have said in your environmental submittal that there is going to be 60% impervious space. That's not green space in any way, shape or form.

J Wilson – This is a big project and we need a systematic way to get our input/thoughts, which are going to the Town Board, so if we could either go methodically around the table or some way other than the crossfire, random shots approach I would think we would use our time the most efficiently.

T. Hatfield – What exactly is your understanding of what we are being asked to comment on here? My view is this is a Town Board project, they have reached out to us basically for preliminary site plan/sketch plan feedback.

M. Moseley – that is the way it was explained to me.

T Hatfield – then we should keep our focus to that area of expertise because the Town Board has asked for that.

M. Moseley stated he doesn't think we need to get in an argument with the developers. I don't think that's the intent here.

D. Weinstein- I'm trying to get the information.

M. Moseley – I understand, but if we feel the information isn't provided then that's an item we identify for the Town Board. We don't need to get into a

discussion. We've been given the ability to comment and they take our comments in that capacity.

T. Hatfield – I understand your frustration but we aren't in the position as we don't have any of the preliminary information, none of the supplementary information.

M. Hatch – We can make a statement that we believe that there is inaccurate/inconsistent information with the given parameters that must be evaluated and we feel that until those are reconciled we cannot give our approval. If David wants to submit a list. I've read a list and I'm relatively convinced that that list is accurate. I think we could make a case for that and just bring it to the Town Board. I think that's a part of our role here.

M. Moseley Our role is to come up with that list and provide to the Town Board as a recommendation

M. Hatch not as a recommendation – as a statement that given our expertise and given our role as a planning board to evaluate.

M. Moseley – I don't disagree with you, but our role is to recommend concerns to the Town Board. We have no approval process in this process at this point and time.

M. Hatch – exactly, I think the recommendation would be to not approve it.

D. Weinstein- I'm sure you've seen the list I created of 13 major conflicts between Trinitas' proposed plan and our Comprehensive Plan, or the Varna Development Plan which is an official part of our Comprehensive Plan. So, we have 13 things that are inconsistent. Now, when I met with you at the open house and I explained these inconsistencies I did expect some movement between the plan then and what you have presented tonight and on your screen, you say that you are looking for ways of making this plan fit into what the Varna Community Plan requires, but in fact, what you submitted 10 days after that discussion, what you continue to stay with as a project, has not addressed any of those conflicts. I'm getting no confidence that you have any interest, and your business model doesn't fit (with these 13 places there are conflicts) with our adopted plan.

J. Wilson – I organized my thoughts around SEQR because it made the most sense to me. It appears to me that this is a type 1 action, I think that's what the Town Board said they wanted a full FEAF. My first thought is the following, there needs to be a concrete and specific plan that, among other things, addresses the categories in SEQR. Right now, I hear by-play between the representatives of the project and the Town Board and by-play between my colleagues and me with the developer. But there is nothing specific and concrete and settled sufficient where I could feel that I could say anything other than I need more information. Until or unless there is a specific plan that covers all of the areas that would be in SEQR, that covers all of the areas that we would have to look at, or the Town Board has to look at for site plan review, there's really nothing to react to. The second is that I think it would be very helpful practice if there were a written response to the County's request for information under 239 in their new 2018 Energy Guidelines and I say that

in part because I spent considerable part of the afternoon reading the proposal for the North Campus dormitories created by Cornell so I'm hearing talk on the one side and reading very concrete information on the other and if I had the concrete information I believe I could make a confident recommendation. Finally, you've probably seen, I wrote to my colleagues the areas I felt were important:

- 1) The Town Board should actually engage in a full environmental impact statement process. As it's been mentioned by others, the impact of the proposal on the land on many areas needs to be investigated and information provided about how you are going to address the potential issues there so that the Town Board can finally decide how big an impact is the disturbance or the use of the land going to create and whether or not it is significant enough to require the EAF;
- 2) Same with regards to impact on transportation. Lots of people, including me have listed the concerns that we all have because we drive that area a lot.
- 3) The impact on energy requires a full-blown investigation. Again, because large amounts of use of energy under SEQR and greenhouse gas emissions which result typically end up as significant issues that require alternatives or mitigation measures.
- 4) Finally, I join in the chorus that says the proposal as it stands appears to have great inconsistencies regarding the various community plans which I believe apply and therefore, that must be addressed in a way so that there can be a cogent discussion on what alternatives and mitigation measures should be taken.

J. Skaley – I was looking at the slopes on this project. You have approximately 15% slope with this road coming down here, you have 20% slopes over here with these units. Presumably either built down into the area or filled to level the area but I don't know what the plan is there but something must happen. I don't think you can cantilever these things over the slope *the dirt work on this project is substantial. We do not have full grading plans and will not have them until we can stop moving buildings around.* I raise this because in your EAF you said there would be no substantial excavation. This is going to require a huge amount of excavation moving dirt all over the place. I have walked parts of this area just to get a feel as to it. There is a considerable number of mature trees on this site and I don't see how you're going to create a landscaping system that is going to preserve any of those mature trees. You're overlaying, about as close as you can possibly do, the parking area and the townhouse developments. This is part of the greenspace issue that we are concerned with. This is a dam structure up in here and it has just a spillway going through it, any water that comes down the slope and overflow will go down into the area that goes behind the Community Center and into neighboring property Obviously, there is going to have to be considerable work and some kind of way of putting a flow constriction in here, that is going to retain the storm water and obviously it is going to be let out, which would bring the level back down

again so you have more capacity. The other thing is you say there's going to be an underground system for catching water but I don't see it on this site sketch anywhere. *I think a full storm water management plan has been requested. A lot of this will be in some of the environmental items that TG Miller is having us put together over the next six weeks, so that will be available as soon as we have that ready.* I'm frankly very skeptical with the amount of impervious surfaces and given what we've had issues with in the past, and the previous development that was proposed for this site, which required a full EAF by the way, that they were unable to satisfy at the time storm water management retaining on the site. I think there is going to have to be more we've had 9 corings. This area is really made land, much of it, and so 9 corings are not substantial in defining what is underneath here. We don't know. *We agree, because we need to know as far as building goes, so we have requested additional corings and I should have those back this week.* Other than that, I would agree with what Joe just said, this really requires additional environmental survey to find out what's up there and also, you're going to take out a lot of mature trees down at the retention pond. The other concern with the retention pond is where the water will go if it overflows. *I know our storm water management plan will have to consider these types of situations.* There seems to be a feeling that everything will percolate down. Well, maybe, but I'm not so sure given the soils in here percolation isn't always the best. *The only thing we can control is what is on our property. If there is storm water running down a hill that's not our property well if it starts drifting into other people's property it is a problem. And hopefully we can review that more when we have our full storm water management plan. I have full confidence he's going to design that to standard and it will be reviewed by the core of engineers, it will be reviewed by your engineers.*

M. Hatch – I just want clarification of what you just said “the only thing we can control is what is on our property. If it runs down onto our property we can't control it.” I think you must have meant something different from that. *No, I don't. If there is existing runoff on hills that is not related to our property that might be causing flooding it is not something we can mitigate for people already existing, we can only control*

M. Hatch – It is my understanding that if you are down water from someplace up above you, you have the responsibility in controlling what comes from up above. *And we will, anything that comes from our site*

M. Moseley- STOP, please. We are not getting into an argument again.

M. Hatch – Maybe the premises are inappropriate but it seems to me that if water comes onto your property from someplace else

M. Moseley – you're dealing with DEC regulations as imposed onto the town that are going to be reviewed by the engineer. I understand what you are saying, but what our engineer and storm water engineer would review and make recommendations to the Town Board would be in compliance with the local storm water regulations that we have, which is also in compliance with DEC regulations. The storm water management plan we have is adopted as

Town of Dryden and any associate documents that we have for that. What the DEC typically says, not that I'm getting into a debate or trying to debate anybody here, is that any water that is coming onto your site and flowing off your site – you can't increase or decrease that. It must be maintained at that level on the existing storm water management aspect. So, whatever any developer develops with storm water they cannot increase or decrease their water associated with the impact of the property owners around them.

M. Hatch – I see, okay.

C. Anderson – Sidewalks on Dryden Road, you don't show them. I know the State is coming through with sidewalks but I think it should be whoever gets there first. *Okay.* I think you show sidewalks on your plan. Part of the plan for Varna is that developers provide pocket parks, places of gathering between communities, different developments. I know you have two pieces of property across the street. *We would love to offer that up as park land for the community. We are not building on that land.*

J. Skaley – So the question I think I heard at the Town Board meeting was that the existing structures (trailer & dwelling) would be removed. *Yes.* Along with ones located where the buildings would be going. The concern I have is there at least a dozen families that live within those structures currently, which would be displaced and changing the population from a permanent residency to residents who will be transient is one of the things that David raised in his point is that that is contrary to what we are hoping for in our community development plan.

C. Anderson – So pocket parks are important as a place to gather, we've made other developers have them. I've always been concerned with snow removal. You'll need to think about where you're going to put/pile your snow. The last, 802, talked about trucking it off-site if we had a lot of snow, which is not the environmentally friendly way to do it. Keep that in mind as you go through it. I don't know how this board feels about it, we waived some of the islands in the parking lots that broke up the parking spaces (one every 10 spaces) that you had to have. 802- we waived those, mostly for snow removal, so I don't know if these little bump-outs make sense other than where you have the pedestrian walkway. But I think that would be something that we could talk about. I think that's an area you could look at, mostly for snow removal in my opinion. Bicycle racks – storage, are they inside? *Yes, we will have racks and inside storage.* Facade for these two buildings – we go back to the design guidelines for Varna and anything that fronts Dryden Road is supposed to mimic the character of Varna if we could find out what that is really.

J. Wilson – This reinforces my point that we still are way at sea at what the proposal is yet.

C. Anderson – This is the sketch plan and we're trying to flush out ideas that the town has, the public has, this is still preliminary. We talked about pocket parks, they aren't on here but they're clearly in what the whole plan is to have a community that's a walkable community.

J. Skaley – Displacing residents for a pocket park, it doesn't make sense. I don't know, I'm assuming that by removing the buildings that you are acting to create additional green space. Is that part of the deal? *Correct.*

C. Anderson – that's part of the redevelopment probably as well.

J. Skaley – that's a matter of perspective.

C. Anderson – you could say the same about 802, there were 5 structures that were all affordable houses that were there.

D. Weinstein – First, what is important for this board to comment on is the fact that since over 12 acres of this 16-acre parcel is not redevelopment we should not be thinking, and give the Town Board the information, that it is practical to give a bonus for redevelopment. *It has been used as a dump.* That's not our definition of redevelopment if you look. Our redevelopment definition is "structures that are badly in need of repair"

J. Wilson – So is our input that we question under what circumstances a redevelopment bonus might be given?

D. Weinstein – yes.

M. Moseley – valid question.

D. Weinstein – secondly, I don't want to sound like I'm criticizing my fellow board members, because it is good to bring up any and all ideas, but dealing with the minutia here when we have gotten no information about how they plan to not conflict with the Varna Plan, that's the big issue. There's been no movement on any of those items. We need to think about the big picture. As you know, the sewer system in Varna, is allowed to send a certain amount of sewage to the Treatment Plant. TG Miller gave us one number. I met with the head of joint taskforce, Cynthia Brock. We went through numbers over and over again to try and pin down a number that they felt was comfortable. Their number is a little bit higher than TG Miller who said we have enough room when we subtract the number of units that have already been approved (like 802). We have somewhere between 150-200 units available. Cynthia Brock said a little bit higher number than that, somewhere between 250-350. That is for all of the area, all the way out to NYSEG. By putting this development in this place, you are either using up all of our available units *It is my understanding this was brought up at one of the board meetings that this is not an issue and that there is available capacity if needed.* So, I explored that

R. Burger -Wastewater Treatment Plant has to be approached for capacity so it is part of any growth in our town.

D. Weinstein – So I explored that and the procedure is that we would have to purchase it from one of the other fast-growing towns – either the City of Ithaca or the Town of Ithaca. We would have to purchase. It is very unclear if they would be interested at all.

M. Moseley – It sounds to me that you have a concern with the sewer.

D. Weinstein – I have a concern with the sewer.

J. Skaley stated he has a concern with the age of the infrastructure.

D. Weinstein- The Varna Plan has an example that on this site there would potentially be placed a "new town" possibly 100 homes there, this development would use up that site, not give an opportunity to be used for those single-

family homes and the Plan clearly states that what we are looking for and need is moderately priced, single family, owner occupied homes. The County's survey very clearly identifies that the majority of the units that Trinitas are proposing we already have a surplus of in the County of. The concern is that you are proposing to build units that there is not a need for and you are using up a major piece of available land that could have been used (and was proposed in the Varna Plan to be used) for the kind of housing we need – single family, owner occupied homes.

J. Kiefer- I agree with all the general comments that you made Joe. I have to say that when I read the Varna Plan and I look at things like it calling for diverse types of housing, when I look at the housing density, for example, and the trail side development that is in the Varna Plan I think they call for 200 beds and this is 600. The inconsistencies aren't subtle, they are blinding. Startling how different that is from anything that could have been envisioned in the Varna Plan. I can't get beyond that. It's just the wrong place for this project.

M. Hatch – I agree entirely. This is a message related to the Town Board's request to us to do a comprehensive plan review, which I was a part of a number of years ago. Out of which came the Varna Plan, which all became a part of zoning and I am feeling, as a Planning Board member, considerably disrespected if we are asked to do a Comprehensive Plan Review which will then be completely ignored in approving a project like this. It does not conform in any way to the Comprehensive Plan or to the Varna Plan. I don't necessarily think we're going to put single family homes up there, but there has to be something that conforms more readily with this. I also agree about environmental concerns. I don't see any way to avoid major water problems. We can do storm water surveys and everything else, but we can also not waste our time doing that if it's obvious. Inconsistencies and problems and that's the word I would give to the Town Board from this board.

M. Moseley – I reviewed D. Sprout's memo to the Town Board and it is fairly comprehensive as far as what he identifies as not being provided, such as exterior lighting and items of that nature. You also indicated that you are still moving buildings around. *Yes, we can't do full engineering plans until we get a concept.* My concern with all of this is we really can't take a look at a whole lot of this until you have more concrete evidence of what you actually want to put in place. You don't have a final grading plan, you don't have your final photometric plan, you don't have your final storm water plan. I know you're moving that way but it's very hard for this board to make a recommendation to the Town Board based on the documents we don't even have or subject to change in the near future.

T. Hatfield -First of all, I'm glad to see that we have a developer with the financial resources to come in here and ask for input on a preliminary basis. For us to sit here and start picking this apart looking for things that should be in site plan review or further down the road. They aren't coming in here and spending millions of dollars developing a project that is going to fail. That means it has to be market oriented and there has to be demand for it. Talking

about wanting a single-family house and such, the market dictates what will work economically. Let's work together. I hear nothing but resistance all the way around me tonight, with some exceptions. Secondly, coming to the point as a Planning Board member I personally agree quite a bit with what John says. It doesn't fit with anything I've looked at in 30 years, in terms of where we've come from with the Varna Plan, the overlay, but there is plenty of opportunity here and I'd like to see that opportunity moved in a positive direction. I think it's too dense. I think there are some legitimate concerns about water. P. Davies raised an interesting point over here. This community has a lot of resources and amongst them is a human resource; reach out to the other boards. Maybe form a consolidated group that can work with the developer and make this thing come forward. We've got someone here at the table that wants to do a project in our community. Let's work together.

D. Weinstein – Tom I understand. One of your greatest qualities is that you want to see if you can find an avenue that will work for everybody. That's great. In this case, when they have shown no compromise to acknowledge any of the things that the Varna Plan stated it wants, we are potentially causing them to spend a lot of money without a very good probability that it's going to end in a good compromise. They have to start by showing that they see the Varna Plan, they understand how they can adapt their system. Until they do that I think it's wrong to give them the idea that we're looking for some way of making this work. I think you're sending the wrong message because you need to have a developer who makes the attempt first. We haven't seen that at all.

T. Hatfield -Unfortunately David, I hear what you're saying, but in this instance, it isn't the Planning Board's job to lead that charge. Because of the nature of the project, the size of the project, the mixed use of the project this is in the hands of the Town Board and that's why they've asked for our input. I think we've done a good job here tonight of identifying some issues. All I'm saying is it's easy to say no. In doing that we are losing an opportunity to find the appropriate compromise between the market place vs. what we as a community want. Somewhere in there, there is a compromise and one that will work for everybody or as close as you can get. That's the purpose of this process. That's why it's called a preliminary sketch plan. Let's take this thing forward with an understanding that we need to reach a compromise. I have enough confidence in the Town Board that they aren't going to do something that the community isn't going to let them do. The community will hold them accountable, but you have to trust the process. It is a process and I don't hear that happening here.

M. Hatch – I think that's what I meant when I said there is a process. The process is that we have a Comprehensive Plan and the Varna Plan is a part of that Comprehensive Plan and all have been instituted into zoning and there are many, many inconsistencies between those plans and this. Therefore, our participation in this process, which is years long, has been ignored in many, many areas. So, we are calling that to the attention of the Town Board because that is our role.

T. Hatfield – In all fairness Martin, we spent a fair amount of money and a lot of time developing the Varna Plan that the community in Varna has since come back to us to say it's not really what they wanted. All of this is in a state of flux all the time, and that's not unusual. There can be some differences but you sit down and develop those differences into a plan forward.

M. Hatch – Yes, I agree and I think we've been asked to do a revision of some things but I don't think any of the revisions have said that we want to development such as this.

T. Hatfield – That might be true, but that decision is going to be ultimately up to the Town Board and the developer.

M. Hatch – And now they have a document already that they can use as their guidance, which we prepared for them.

J. Skaley – Trinitas has been developing these projects in a number of places around the country. They have a model. Their model is consistent. I've talked to people in two locations about the projects and both of those projects were turned down as a result because they were inconsistent with the local area. The size and the style of the structures, which are as you pointed out at the Town Board meeting, each of these bedrooms will have their own bathroom, that's the current plan? *Yes That's a dormitory style living. So we are going to be bringing walkthrough tours, video tours – you can see what this looks like. I think there's an idea that it looks more like a dorm than it is. I'm sure it will look nice, I'm not concerned about that. I'm concerned about the convertibility of these structures. I think you will see that if we were to exit this...I think you will see that the layouts will lend to that. In August we will be prepared to show that.*

J. Wilson – Just to point out to you Tom, they have used exactly the same model in numerous places. Their model is to build for students, primarily in college towns, and they find places within a couple of miles of the campus if possible with land that is relatively inexpensive and that's where they put their model down. Irrespective of the local plan.

T. Hatfield -I'm fine with that and I understand that, and that in two communities they said no. That's ok, that's a fine answer. No one should have a pre-ordained answer here. They know the economics of their model, we have a community that has some needs, we've got lots of discussions about affordable housing. We have real needs in this community for housing. How you make those things come together is a different issue and when we were doing the Comprehensive Plan one of the things the consultants brought us in was a pretty picture of some town here in upstate New York where McDonalds changed their whole world-wide plan because they wanted to have McDonalds in that spot. So just because they have an existing model doesn't mean they can't make it conform to what our requirements are.

M. Hatch- My understanding is there have been several meetings and those recommendations for significant changes are not forthcoming. *It's hard to see what goes on behind the scenes for us. To say that we're not making* J. Wilson –

I'm not sure we're going to convince each other of the merits of our individual arguments and it's 9:30. I have a question though.

In what form is this discussion going to be conveyed to the Town Board?

Because what we asked them to ask us to do, was to give them input on the project as we saw it. Are we going to try to summarize this or are we simply going to hand them the verbatim notes and let them figure it out?

M. Moseley – I think we need to let the minutes reflect the discussions that occurred here.

D. Weinstein – I would like to make a motion that we say given the information we've been given at this time, we cannot support the current proposal that is on the table.

M. Hatch – seconded.

D. Weinstein – then we can list that list that you've just generated of all the serious concerns that we have.

P. Davies – Looking at this plan, I would presume that to do it, all of the vegetation on that site has to be removed. So you're changing vegetation for essentially buildings and parking lot. Is that correct?

M. Moseley – Sounds correct.

T. Hatfield – David, I don't see a proposal on the table. We have preliminary sketch plan on the table. I can't support your resolution, I don't know what we're voting on. We had a discussion tonight. We have got a lot of good points that were made on a lot of different sides, those things should be summarized or put in the minutes and submitted to the Town Board.

J. Wilson – In essence, I agree with Tom. We don't have a full-blown plan here to react to. So, if nothing else, we need a lot more information to provide a response so I can't vote no until I have something other than we obviously need more information.

D. Weinstein – I would agree with you, but as far as I know this is the only mechanism that has been laid out here. This is the only time the Planning Board is going to be able to weigh in on this.

T. Hatfield – Amend your resolution that they keep asking us for a while because there's going to be a lot of renditions before this thing is done. There is probably a 12-month planning process ahead of us as a community on this thing.

J. Skaley – Process question: I am in full agreement that we don't have enough information here and certainly, as the plan develops there are going to be many more questions. Under the rules, the Planning Board doesn't have a role in even commenting unless the Town Board gives us permission to do so. They did once, but can we take and extend that process?

M. Moseley – We have to request the Town Board to extend that process. We do have a motion and a second, we have discussion.

M. Hatch – I would like to amend the motion.

D. Weinstein – Motion was given the information we currently have our recommendation is that in its current form (which I do think is a plan that got put forward) there is an application on the table. In its current form we cannot support this proposal.

M. Hatch – Would like to suggest that we amend it and that we feel strongly as a board that any subsequent emendations of the plan be brought to the Planning Board for its consideration. Even if you don't believe there is anything on the table now, I feel there is a lot of information on the table. So, *are you suggesting we do two back-to-back weeks every time?* I'm asking that we be a part of the future plans, it should not proceed without being in tandem with the Planning Board. M. Moseley -is that a part of your motion or not? M. Hatch, no it's a justification for what I said is my amendment.

J. Wilson – I would think we would be more coherent and more effective if we actually get a full-blown plan that covers all aspects that the developer thinks need to be covered. I now, once again, harken to the proposal I'm looking at for Cornell and its North campus dorms. I remember well the Maplewood graduate housing proposal that was a quarter size bigger than this one, but roughly the same kind of thing. Then I would feel we could be effective in reacting, but to have a debate every time won't be productive. So, I would vote against the motion with its addendum.

T. Hatfield – I think an appropriate action tonight on this body's part would be to forward our comments. But I also think that we might adopt a resolution asking the Town Board to consider establishing a standing committee of the boards with a Planning Board member or two, someone from the Conservation Board, maybe even someone from the ZBA and let them figure it out – it's their project. But you have resources here. I hear your plea, but this is a big deal for our community so if for you to have to come here back-to-back really doesn't bother me. I'm sorry. This community has to work with you, and in my opinion, we want to work with you. My suggestion is we go back to the Town Board with a resolution that says we're willing to roll up our sleeves to work with you if you want us to, if you don't, then there is nothing we can do about it David. But what we can do individually is go to a Town Board meeting and have your say as an individual. As a member of this community. People know we are on the Planning Board so be very clear when you start your comments that you are speaking as member of the community, not as a member of the Planning Board or Conservation Board, or whatever it is we represent. We do wear two hats and we have been cautioned before to make sure we don't cross those lines because we do have responsibilities. So that would be my alternative to your suggestion. If you want to withdraw it or if you want us to vote on it.

D. Weinstein – I want to go back to this idea of recommending to the Town Board that we have insufficient information to do anything more than list our concerns, but we feel it is important that once a firmer plan or series of plans get on the table, the Planning Board can then weigh in on whether those plans should be recommended or not recommended. I'm trying to see if I can alter this to make everybody happy.

M. Moseley – So you're amending your resolution?

D. Weinstein – I'm not yet, I'm just exploring whether that might work.

A. Green – As the person from the Town Board who moved your request to get input here, I'm glad to have heard this conversation, and I want to review what

I understand is the process at this point. I spoke with our attorney a couple of days ago. It seemed to me that this conversation, which talks about all of the concerns that we have, is totally appropriate. We wouldn't expect that we would have a finished product at this point to react to. It's very important for us to list the concerns that we have now. The new piece of information that I heard from our attorney is that once we close the sketch plan; the Town Board has 10 days to write up concerns and I think that that means what we would look upon favorably and what we require for this project. So, what I would like is the translation from this conversation into a very concrete list of what we would require. I would like to see input from the board within that 10 days after the sketch plan review. I would really like to ask for help from the Planning Board. Perhaps a representative or two from the Planning Board and input from the Conservation Board.

T. Hatfield – We can't do that in advance any more than you can. But if you were to embrace the concept of a standing committee that could be put together much more quickly, administratively, than meetings of individual boards because we all have our schedules and we are all busy. I think you could get the input you want.

A. Green – The first step is really converting this conversation into recommendations.

J. Kiefer – When do you need that conversion.

A. Green – We are going to keep the sketch plan review open. We will continue it at our August meeting but we won't be able to close it because the developer will not be ready to respond to our engineering report. I think the response to the engineering report is going to address a certain category of questions that folks have brought up. So, you've already indicated that you want to respond to that and it will take you to September to do that. We're not going to close sketch plan until September. That will be the 3<sup>rd</sup> Thursday, we then have 10 days to write up our requirements for this project. That's the point, the 4<sup>th</sup> week of September, that it would be very helpful to bring together that input so we're communicating clearly to these folks.

J. Wilson – What that list does, is list the things you want in a sketch plan in order to decide whether the sketch plan is acceptable.

A. Green – No, at that point we have already reviewed the sketch plan and we've had this dialogue. We are saying this is what we want in the full site plan, as I understand it.

J. Wilson - I'm sorry, what you want in the site plan, I misspoke.

D. Weinstein – The reason I'm not in favor of your idea for a standing committee is that as we've heard, there are a lot of different ideas and I don't think any two of us could represent that. If I were to be so lucky or unlucky to be chosen to be on that committee, you wouldn't want me representing your opinions. It would be better to have them in a round table like this where we can get all the ideas out on the table. I know you're trying to be practical in terms of moving forward, but I really think this body needs to be involved.

T. Hatfield – I'm not so concerned about being practical now, I'm concerned about how we get the Town Board armed with enough feedback from its

collective pools of expertise, so they have resources they can draw on a little more readily than farming it out to us at our next meeting. It's a cumbersome process by definition and I don't think it's fair to the Town Board or the developer.

J. Kiefer - We already expressed our opinion about this particular site plan. I think at this point it's time to quit rattling our sabers and say alright, we're willing to work with you - let's do it.

C. Anderson - You're presenting more at the Town Board meeting in August?

Yes

J. Skaley - I agree with what David said, this needs to be a full Planning Board discussion and not a subcommittee. This is the largest single project that is coming to the Town of Dryden so it deserves due process. Whether it takes more time to go through it all with the Planning Board, and maybe the Conservation Board, so be it. We can't afford to make a mistake in this situation because it basically excludes other possibilities that could be there. So, it depends on what their final site plan is going to look like, we don't know at this point, but I think it still needs to have the capacity to have that kind of in depth review. I'm hoping that the Town Board will agree with that and go along with the fact that the Planning Board is ready and able to continue to participate in ongoing discussions to make more concrete recommendations to the Town Board as they move through the process.

C. Anderson - Why don't we ask the Town Board if we can get a second bite at this, maybe the 2<sup>nd</sup> week of September before their agenda meeting. They would have flushed out the August meeting with the developers and there would be more on paper that we could all look at. We could have a special meeting just to discuss that, is that feasible for people?

M. Moseley - that is a potential. We have a motion and second on the table so we are going to take a vote right now.

All in favor of David's motion (already seconded by M. Hatch) unanimously approved.

David Weinstein - So what is going to be sent to the Town Board?

M. Moseley - At this point and time, Craig had a nice follow up and you're asking for us to be able to look at this the week of the 10<sup>th</sup> of September. Is that a resolution Craig?

C. Anderson - that would be a resolution to ask

D. Weinstein - is there anything in there about passing on these comments?

M. Moseley - these comments will be passed on.

A. Green - the most important thing from my point of view as a Town Board member, I would really like to request that this get converted into a very clear set of requests and requirements.

T. Hatfield - a bullet point summary to put in the minutes. Can they be circulated to all of us to be reviewed before going to the Town Board?

M. Moseley – We will ask Bambi to pull out all the comments and put them in a bullet point and send them out to us? No, there are no comments.

D. Weinstein – I'm not asking to make comments, I'm asking for us to review the comments to make sure they are accurate.

M. Moseley – You're asking for review for accuracy of transcript?

D. Weinstein – yes.

M. Mosely – Ask for the bullets to be done and sent to Planning Board for accuracy review before it is sent to the Town Board.

C. Anderson -Motion for us to have a special meeting sometime before the Town Board's meeting in September. 2<sup>nd</sup> by J Kiefer. Any discussion on that? All in favor – unanimously approved.

T. Hatfield – I will not be able to attend, will send my proxy.

### **RESOLUTION #18 – Review of Trinitas townhome project in Varna**

David Weinstein offered the following resolution and asked for its adoption:

RESOLVED the Town of Dryden Planning Board decided that given the information that we have been given at this time, we cannot support the current proposal that is on the table.

Seconded by M. Hatch, unanimously approved.

### **RESOLUTION #19 – Special Meeting – Trinitas**

Craig Anderson offered the following resolution and asked for its adoption:

RESOLVED the Town of Dryden Planning Board will have a special meeting sometime before the Dryden Town Board's September meeting.

2<sup>nd</sup> J. Kiefer, unanimously approved.

### **Town Board Charge to Planning Board for review idea of instituting impact fees**

T. Hatfield – I can summarize my feelings in about four words: impact on affordable housing. Highly regressive. We as a community have a stated goal of wanting to achieve more affordable housing in our community. That impact fee, and anything that raises the cost of housing defeats that purpose. There are a lot of ways to do what the board is trying to achieve. Impact fees is probably one of the worst that you could choose.

J. Wilson – I read all of the materials. I did not understand what the focus or purpose the exercise was, i.e., what problem is trying to be solved and what kinds of fees were we talking about. So, I frankly, at this point

M. Moseley – I’m not sure of the specific fees yet.

J. Wilson – then I have no opinion. That was a generic grab bag of stuff.

M. Moseley – I’m not aware of any specific number value associated with impact fees. I think they were looking at the conceptual idea of it to see if the Planning Board thought it was a good idea, am I incorrect on that?

R. Burger – Numbers have been talked about, there may be other municipalities that are in the order of \$1,000-\$1,500 per dwelling unit impact fees. Specifically as a funding source for the rec reserve fund.

M. Moseley – I think the other complexity Dryden has is that there are so many outlying areas, like where I live, I don’t use any Dryden recreation because I live closer to other communities. There would have a negative impact on my neighborhood or myself if I looked to build a new house somewhere down the line. Town of Dryden doesn’t plow my roads, they really don’t do anything for me to be completely honest. That would be my opinion on the matter, I would agree with Tom as well.

J. Skaley – I think there are impact fees for different things and I wasn’t aware it was to go to the rec fund.

T. Hatfield – There was a packet that came out in the email that was interesting reading. I’m very adamant to that one.

J. Kiefer – I would say cart before the horse. I think before we jump to a conclusion that we even need to have enhanced recreation facilities, we need to update the Comp Plan and survey people and find out if they even care about that.

C. Anderson – I would agree with Tom. When you look at the school district and talk about the difference between the Ithaca taxes and the Dryden taxes, the average house in Dryden pays \$1,000 more in school taxes than Ithaca. Now you come to Dryden and build a house and people are already paying more in school taxes and now you want them to pay \$1,500 or whatever you are affecting families and affordable housing.

J. Wilson – The developer would pay the fee, right?

M. Moseley – No, even a single family, if you were to develop one house on your property you are going to pay those impact fees.

J. Wilson – Because it’s my house. So, if I’m building 8 houses on a plot then I would be paying the fee times 8. So it’s masked, if you will, in the price of the house. So the notion that I’m going to walk into the house and say oh damn, I just paid \$1,000 more is not really accurate.

T. Hatfield- Well that’s not true because the price of the unit you are going to buy compared to a unit in another community that doesn’t have impact fees will be on the average, what they cited in the study was \$5,700 more.

D. Weinstein – So can we have a conversation at some point in the future about, (just assuming that our rec fund is so depleted that we can’t provide services that people want), other mechanisms for generating funds.

M. Hatch – I agree with John. We haven't done a comprehensive plan to see where rec fits in, where environment fits in, with all the different things that an impact fee could be used for. For example, if we had a tremendous problem with trash I can imagine an impact fee for people producing trash. I don't want to make a blanket judgement about it until we have a comprehensive plan survey. I would say it's premature and it's certainly premature to give it to one place just to solve an issue.

### **RESOLUTION #20 -Instituting Impact Fees**

J. Kiefer offered the following resolution and asked for its adoption:

RESOLVED the Town of Dryden Planning Board believes it is premature to think about directing funds to any single destination and we would recommend the comprehensive plan be updated along with a survey, and we will determine at that point if there might be other alternatives.

Seconded C. Anderson, unanimously approved.

M. Moseley -I have the rest of R. Burger's planning update, what else do you have?

R. Burger – The work to do a SUP before the Town Board in August regarding a veterinary office going in next to the SPCA on Hanshaw. Materials on the web if you want to offer any comments to that.

D. Weinstein – How difficult would it be to have a brief statement about where we are having problems with regards to the Zoning Board of Appeals, what kind of variances are they approving? What kind of permits are people asking for? So we have a better idea, the numbers are great – it's better than we've had, but I would really like to have an idea of where the action is happening. I don't know how easy that is. Location and what kind of permit are they asking for.

M. Burger – Maybe put up 20 building permits a month but (multiple conversations going on) in the monthly update.

C. Anderson – We talk about site plan review and it's been 3 years ago that I recommended that we take it out of the Town Board's hands. Just think about it over the next month and maybe we really need to start thinking about a process. It's going to be a process.

D. Weinstein – So what are you asking for?

C. Anderson – For us to think about how do we get site plan reviews out of the Town Board's hands. They really don't have the expertise to do a site plan review.

M. Hatch – I remember that discussion and Tom I think we were on the same

T. Hatfield – I understand both sides of the argument very well. It's a tricky question but the Town Board would be wise to figure out some way to utilize the resources they have available to them. They get themselves in trouble when they don't do that. It's not a fatal error, but it doesn't say a lot about the Planning Board.

M. Moseley- The last item I have is the Rail Trail Resolution. We made a resolution two years ago that we supported the Rail Trail. We re-affirmed that last year. The Rail Trail Task Force contacted me asking me if we would reaffirm our resolution of support for the Rail Trail so they can apply for additional funding, they were asked to provide the grant application again.

**RESOLUTION #21 Re-affirming support of Rail Trail**

RESOLVED that the Town of Dryden Planning Board re-affirms the Resolution adopted September 22, 2016 supporting the Rail Trail:

Resolution: Acknowledging the support of the Town of Dryden Planning Board for the creation of a mixed use trail along the abandoned rail corridor connecting the Jim Schug Trail in the Village of Dryden through the Village of Freeville and the hamlets of Etna and Varna to the East Ithaca Recreation Way at the Ithaca Town line, herein referred to as the Dryden Rail Trail.

WHEREAS: the Dryden Planning Board recognizes the importance of preserving the Town's natural resources and rural character, and providing residents with more opportunities to observe and enjoy the natural beauty the Town offers,

WHEREAS, the Dryden Planning Board recognizes the importance of developing mixed use recreational trails, as resources vital to improving the Town's economic base, tourism, property values, public health and fitness, and quality of life for Town residents,

WHEREAS, the Dryden Planning Board encourages the use of non-motorized modes of transportation and recognizes the significant environmental and economic benefits of reducing automobile use,

WHEREAS, the Town of Dryden Comprehensive Plan cites the creation of the Dryden Rail Trail as an important transportation and recreational initiative,

WHEREAS, the Town's 4.2-mile Jim Schug Trail is currently established and popular, and runs south on the abandoned rail bed from the Village of Dryden, passing by Dryden Lake, to the Harford town line,

WHEREAS, the Lehigh Valley Railroad abandoned the East Ithaca to Freeville and Cortland rail beds and the Harford to Dryden, Freeville and Groton rail beds by 1977, and the abandoned rail beds are currently owned by a variety of private and public entities,

WHEREAS, the Town Board established a Rail Trail Task Force to take deliberate steps to develop the Dryden Rail Trail including acquiring easements, securing funding and moving the project through planning, design and construction,

THEREFORE BE IT RESOLVED THAT the Dryden Planning Board supports and endorses the work of the Rail Trail Task Force and the creation of the Dryden Rail Trail.

J. Wilson offered the following resolution and asked for its adoption:

RESOLVED that the Town of Dryden Planning Board re-affirms the Resolution adopted September 22, 2016 supporting the Rail Trail.

Seconded by D. Weinstein, unanimously approved.

There being no further business, on motion made by J. Kiefer seconded by T. Hatfield and unanimously carried, the meeting was adjourned at 10:07 p.m.

Respectfully submitted,

Chrystle Terwilliger, Deputy Clerk