

**TOWN OF DRYDEN
TOWN BOARD MEETING
December 20, 2012**

Present: Supervisor Mary Ann Sumner, Cl Stephen Stelick, Cl Joseph Solomon, Cl Jason Leifer, Cl Linda Lavine

Elected Officials: Bambi L. Avery, Town Clerk

Other Town Staff: Dan Kwasnowski, Director of Planning
Jane Nicholson, Planner
Mahlon Perkins, Town Attorney

Supv Sumner opened the meeting at 7:05 p.m. and board members and guests participated in the pledge of allegiance.

**PUBLIC HEARING
PROPOSED AMENDMENT TO 2005 COMPREHENSIVE PLAN
HAMLET OF VARNA COMMUNITY DEVELOPMENT PLAN AND
PROPOSED ZONING AMENDMENTS RELATED TO THE
VARNA COMMUNITY DEVELOPMENT PLAN**

Supv Sumner opened the public hearings at 7:07 p.m. and Town Clerk B Avery read the legal notice of public hearing published in The Ithaca Journal.

Supv Sumner thanked the town planners and members of the Varna community that participated in the development the hamlet plan. There were many public meetings and much public input. There were no comments from the board.

Jim Skaley, 940 Dryden Road, said after years of helping and working with staff, he would like to thank the town board and planning board and staff. He is looking forward to implementation of the plan. It will be of considerable benefit in development to both the Varna community and the town as a whole.

Nick Bellisario and Otis Phillips said they are not real happy with the zoning change and reviewed the history of what they've been through with their property at the corner of Route 366 & Freese Road. They purchased it in 2004 with a material storage special permit (transferred to them) and they cleaned up the site. They started filling the site and had to control the water that belongs to the state, town and neighbors that should have continued down the road. They had to take fences down that were part of the special permit and remove some trees in order to fill. Their special permit was revoked, and the town didn't give them a second chance. Every step of the way they were given problems. H Slater made them do a full stormwater management plan and they thought they only needed a silt fence. They had to put in a retention pond that was later filled in. They did not do some of the things they were supposed to do, and were subject to weekly inspection at \$150 per week. They were fined \$8,000 for vehicles on the property. It seems they are not allowed to do anything on that lot. They tried some development things. The Planning Department said to try townhouses, and wanted a site plan and stormwater plan and they paid \$5,000 for that. Then there was a problem with the size of the lot that would cause them to go to site plan review. Site plan review didn't happen because it was too costly. This summer they wanted to try for a material storage yard and tow yard. They were told by the Planning Department it was okay. Then after submission of the paperwork, they were told a material storage yard was not an allowed use anymore. They tried the tow yard and were told to try a smaller version. They never received a

call back from the Planning Department, and now they've been told a tow yard is not an allowed use in the new zoning. N Bellisario said they have asked several people in the Planning Department, and there seems to be a lot of confusion about the old law and new law. It seems that they've been blocked every step of the way. They bought the lot for what was an allowed use. That corner wouldn't be in the development plan if they hadn't filled it, yet everyone fought them on the fill. They get the feeling that the zoning is being developed to prevent them from using their property. Their plan would not have lowered anyone's property values. They have a trailer park across the street (with an unrepaired trailer in it), and an auto repair shop and Laundromat and parking lot across the other road. Their investment goes down and their assessment goes up.

Cl Lavine said it seems the property would be good for housing, and N Bellisario said they lost their investor for that. That doesn't fit their needs, but they were willing to give it a try.

Supv Sumner said it seems there has been a lot of misunderstanding and she will arrange a meeting with Planning Department and a few board members.

N Bellisario said he is totally against the new zoning. No one will invest in sidewalks, or clear them after they are covered by a snowplow. It's unrealistic. A lot of the people in favor of this planning don't even live on that road. They are ready to sell the lot and will look at getting their taxes reduced.

Wayne Woodward said he has lived in Varna off and on since the 1980's. In the late 2000s he bought properties in the 800 block of Dryden Road. He bought them with the intention of renovating. Varna is in a 1950s mode, and he saw potential for redeveloping these properties. He has been landlord for 27 years, and he cleaned them up and gave them some curb appeal. He was under the impression under the old zoning he could do 12 units per acre. He wanted to do a nice development that would add to the community, similar to what Lucentes did. There's a lot a negativity about what they want to do, but they propose to add a lot of tax base, sidewalks and lighting. Some of the zoning changes will not stimulate that in any way. As much as lot of people want things to stay the same, things need to progress. He has spent a lot of money on these properties, and thought he could do a reasonable development. Now he is running into a wall because he can't do what he had planned. He can only do half of what he could potentially do. His value got cut in half. Developing is expensive so you need to put in as many units as you can to make it make sense and you can afford it. Under the old zoning he could have had 36 units on his properties, now he is down to 18. From a development point of view, it takes all the wind out of the sails.

Supv Sumner closed the hearing on the amendment to the Comprehensive Plan at 7:28 p.m.

The board reviewed the long form SEQR on the Comprehensive Plan amendment. Part I is filled out as "not applicable" with a long Part D explanation describing the plan and its goals and result. Each project proposed will undergo its own SEQR review, so none of the categories in Part I apply because you're not proposing to do something that won't require further SEQR. Part II has no result because it doesn't result in a physical change, but it should be reviewed.

Supv Sumner read Part II and all answers were "no".

RESOLUTION #182 (2013) – NEG SEQR DEC – COMPREHENSIVE PLAN AMENDMENT

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

WHEREAS,

A. The proposed action involves consideration of the approval of an amendment to the Town of Dryden’s 2005 Comprehensive Plan, such amendment to be known as the Hamlet of Varna Community Development Plan.

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

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

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board of the Town of Dryden, based upon (i) its thorough review of the Long EAF, Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR §617.7(c), and (iii) its completion of the Long EAF, Part II, including the findings noted thereon (which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“Negative Declaration”) in accordance with SEQR for the above referenced proposed action, and determines that neither a full Environmental Assessment Form, nor an Environmental Impact Statement will 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 Long EAF and determination of significance shall be incorporated by reference in this Resolution.

2nd Cl Stelick

Roll Call Vote	Cl Stelick	Yes
	Cl Solomon	Yes
	Supv Sumner	Yes
	Cl Leifer	Yes
	Cl Lavine	Yes

Supv Sumner closed the public hearing on the zoning amendment at 7:35 p.m.

D Kwasnowski thanked the Varna community for participation in the plan. The process went beyond the norm. It will hopefully be included in a new book, The Rewrite of Rural By Design by Randall Arendt, who is an open space planning guru. It is a very well known book in the planning world. It is also being considered as a case study for an EPA national project and being used as a model case study for hamlet redevelopment in New York State. That’s another national study trying to look at examples of current planning. It is trying to preserve community character but also have smart growth using water and sewer facilities where they

exist. It is nice to have this work recognized by other people that are looking for good examples.

It was a challenge and great to work with a community that is deeply passionate and participatory. The Planning Department did a lot of work and used progressive techniques in working with the developers and residents, and tried to find a balance between the two. They plan to continue to use community groups during implementation.

D Kwasnowski said he talked with Nick Bellisario earlier. There aren't a lot of people who walk in the Varna community now because it's dangerous. If you don't try to redevelop the community, it won't happen. He and Jane Nicholson are working on taking the transportation projects (sidewalks and roundabout) and bring it into a transportation improvement project and get it on the list of projects for federal funding. It's a state route and should rank well because we have a very strong, community based plan. It's difficult to get that money, but this is a good chance to enter of the realm of federal funding for highway projects. It makes a difference for development in community.

D Kwasnowski talked with Mr. Woodward some time ago about his property and what would have to be done with it. That was taken into consideration in the development plan. He pointed out that from the zoning amendments adopted in July, the maximum number of units he could build is 40 units. Previously if you had a property that was 2 acres or less, you could build up to 20 units an acre.

Nick Bellisario's townhouse plan was good, but because the survey showed 2.1 acres, he had to have a special use permit. Under the proposed law being considered tonight, Mr Woodard can redevelop his property, following the procedures under Varna neighborhood development, with up to 14 units per acre. The LEED-ND has to do with using green infrastructure, so using good stormwater facilities, being on or near a bus route, near an employment center and other things which Mr. Woodward would qualify for. Varna is the only place in town that would actually qualify, and that's a really good program. Dryden will be one of the first communities to incorporate that LEED-ND plan nation-wide.

Supv Sumner said one of the things they like about the new zoning ordinance and this amendment is the flexibility. It's new and not that easy to understand because these are sort of add-ons to the basic chart. It makes more things possible.

D Kwasnowski said he did make a mistake over the summer with the proposal for the material storage yard and towing service regarding when the applicant had a vested right. At the time he thought if he had the application before adoption of the new zoning law that it could be considered. It was just before the public hearing that the town attorney informed him that was not correct.

D Kwasnowski said he thinks the Varna Community Development Plan is a great plan. He was apprehensive about the previous zoning amendment, but since its adoption he has come to believe it is much more flexible and is comfortable with it. It seems to work a lot better and they haven't had to turn anyone down for anything. Atty Perkins worked hard to make this amendment very similar to the prior zoning ordinance.

The board reviewed the long form SEQR for the zoning amendment. Part I doesn't apply to zoning changes. Supv Sumner read Part II and all answers are "no".

RESOLUTION #183 (2013) – NEG SEQR DEC – APPROVAL OF AMENDMENTS TO THE TOWN OF DRYDEN ZONING ORDINANCE

Cl Solomon offered the following resolution and asked for its adoption:

WHEREAS,

A. The proposed action involves consideration of the adoption of amendments to the Town of Dryden’s Zoning Ordinance.

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

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

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board of the Town of Dryden, based upon (i) its thorough review of the Long EAF, Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR §617.7(c), and (iii) its completion of the Long EAF, Part II, including the findings noted thereon (which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“Negative Declaration”) in accordance with SEQR for the above referenced proposed action, and determines that neither a full Environmental Assessment Form, nor an Environmental Impact Statement will 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 Long EAF and determination of significance shall be incorporated by reference in this Resolution.

2nd Cl Leifer

Roll Call Vote	Cl Stelick	Yes
	Cl Solomon	Yes
	Supv Sumner	Yes
	Cl Leifer	Yes
	Cl Lavine	Yes

D Kwasnowski said Tompkins County Planning sent a 239(l)&(m) review. They propose a 100’ setback from the top bank of Fall Creek with the first 50’ maintained as natural vegetation. He said an analysis of this was done during development of the plan. That distance would put a lot of existing houses within the buffer. They want to keep that area open. It is a natural downhill area for stormwater facilities which could be wetlands and actually enhance habitat.

The County wanted a minimum density requirement, but that is not consistent with community desire. We want to encourage density, but not require it. The County did not like

different density requirements according to ownership. They want it the same and to reflect a higher density. The plan incentivizes owner-occupied without making it impossible to have rentals.

The County recommends design standards to take advantage of passive solar orientation. D Kwasnowski said it is recommended in the LEED ND, but he doesn't think we're to the point of requiring it.

There is also a comment in their review regarding developing clear, easily understandable standards for what is acceptable and desired, and providing a streamlined review process for projects that meet these standards.

Cl Leifer said he believes this amendment will help improve community. Cl Stelick said he agrees, but though we've gone above and beyond, we still need to do a better job with public outreach. He commends Cl Lavine for committing to listen to N Bellasario's concerns. There has been a lot of confusion.

Supv Sumner said the site on the corner of Freese Road has been a challenge for many. No one in a residential area embraces a fill site, but it has come out looking nice and it is ready the next step. She appreciates the work that was done on the site, and hopes for some development in the near future. They have tried to make the plan flexible, but generally compatible with the vision of a residential/commercial neighborhood.

N Bellasario said the plan eliminates things they wanted to do, but it doesn't eliminate the gas stations and auto repair shops that the area is already saturated with.

**RESOLUTION #184 (2012) - APPROVING AN AMENDMENT TO THE TOWN'S 2005
COMPREHENSIVE PLAN, SUCH AMENDMENT TO BE KNOWN AS
THE HAMLET OF VARNA COMMUNITY DEVELOPMENT PLAN**

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

WHEREAS, the town board requested the town planning board to review and report on a proposed amendment to the town's 2005 Comprehensive Plan relating to Varna; and

WHEREAS, the town Planning Department, with assistance from Behan Planning and Design Consultants, prepared a plan for Varna based upon input from the town board, planning board, ad hoc advisory board, Varna business owners and interests, and the Varna community at large; and

WHEREAS, as a result of the above efforts a report entitled *Hamlet of Varna Community Development Plan* was prepared and in various forms and times presented to the town board, the planning board and the community of Varna; and

WHEREAS, the planning board held a public hearing on October 23, 2012 on the *Hamlet of Varna Community Development Plan* which would constitute an amendment to the town's 2005 Comprehensive Plan; and

WHEREAS, after considering the comments of the public at the public hearing and thoroughly reviewing the *Hamlet of Varna Community Development Plan*, the planning board has recommended that the town board adopt the *Hamlet of Varna Community Development Plan* as an amendment to the town's 2005 Comprehensive Plan; and

WHEREAS, before the town board can adopt the *Hamlet of Varna Community Development Plan* as an amendment to the town’s 2005 Comprehensive Plan, it must hold a public hearing thereon, therefore; and

WHEREAS, the town board held a public hearing on the proposed *Hamlet of Varna Community Development Plan* on December 20, 2012 at 7:00 o’clock p.m. at the town hall and heard all interested persons concerning the proposed amendment;

NOW, THEREFORE, BE IT RESOLVED, that the proposed *Hamlet of Varna Community Development Plan*, be and hereby is approved.
2nd Cl Solomon

Roll Call Vote	Cl Stelick	Yes
	Cl Solomon	Yes
	Supv Sumner	Yes
	Cl Leifer	Yes
	Cl Lavine	Yes

RESOLUTION #185 (2012) - APPROVING CERTAIN AMENDMENTS TO THE TOWN OF DRYDEN ZONING ORDINANCE FOLLOWING ADOPTION OF HAMLET OF VARNA COMMUNITY DEVELOPMENT PLAN

Cl Stelick offered the following resolution and asked for its adoption:

WHEREAS, the town board has heretofore approved an amendment to the town’s 2005 Comprehensive Plan, which amendment is known as the *Hamlet of Varna Community Development Plan*; and

WHEREAS, the town board held a public hearing on proposed amendments to the town’s Zoning Ordinance recommended by the *Hamlet of Varna Community Development Plan* on December 20, 2012 at 7:00 o’clock p.m. at the town hall and heard all interested persons concerning the proposed amendment,

NOW, THEREFORE, BE IT RESOLVED as follows:

The Town of Dryden Zoning Ordinance last amended and effective August 6, 2012 is hereby further amended as follows:

1. **Article III – Definitions** is hereby amended by adding thereto the following definitions in the appropriate alphabetical order in such Article:

Comprehensive Plan – The 2005 Town of Dryden Comprehensive Plan adopted by the Town Board pursuant to Town Law 272-a on December 8, 2005, including amendments thereto.

Green Neighborhood Development – A neighborhood developed and certified in LEED Neighborhood Development rating system and achieving at least basic certification.

Hamlet of Varna Community Development Plan – An amendment to the Comprehensive Plan pursuant to Town Law 272-a and adopted by the Town Board on December 20, 2012.

LEED – The acronym for “Leadership in Energy and Environmental Design.” LEED is a family of green building rating systems developed by the United States Green Building Council (USGBC). LEED provides verification of high environmental performance in building and neighborhood design and construction. The LEED family of rating systems includes a rating system for Neighborhood Development. A LEED rating system contains a combination of required prerequisites and optional credits and evaluates projects based on a 100-point base scale (not including up to 10 special “innovation” and “regional priority” bonus points, explained in the Rating System). Projects seeking certification must meet all prerequisites and earn at least 40 points by achieving various credits. Beyond basic certification, projects may achieve Silver (50 points), Gold (60 points), or Platinum (80+ points) certification for increasingly high performance.

Neighborhood Development – The development or redevelopment in Varna of at least three (3) tax parcels, or an area of at least two (2) acres.

Redevelopment – The planning, development, design, clearance, construction, or rehabilitation of existing property improvements, regardless of whether a change in the Principal or Accessory Use occurs.

Varna – that area of the Town encompassing the Varna Hamlet Mixed Use District, Varna Hamlet Residential District, and Varna Hamlet Traditional District.

Varna Design Guidelines and Landscape Standards – The Town of Dryden, Hamlet of Varna Design Guidelines and Landscape Standards adopted on _____ as an amendment to the Zoning Ordinance. These guidelines and standards are found in Appendix E, and are hereby made a part of this Ordinance by reference to such Appendix.

2. **Section 400: Districts**, is hereby amended by deleting the definition of “H – Hamlet District” and by adding the following definition to such section:

VHMUD – Varna Hamlet Mixed Use District

The purpose of the Varna Hamlet Mixed Use District (VHMUD) is to foster new and redevelopment of existing properties while retaining the traditional character of buildings, as well as the hamlet character found in Varna and described in the Varna Community Development Plan. The purpose includes Traditional Neighborhood Design, and commercial development of vacant lots, including the combining of lots and rehabilitation of existing buildings.

VHRD – Varna Hamlet Residential District

The purpose of the Varna Hamlet Residential District (VHRD) is to foster development of new residential neighborhoods, and accommodate existing neighborhoods. Lots in this district will be large enough to accommodate significant residential development without affecting the character of the hamlet.

VHTD – Varna Hamlet Traditional District

The purpose of the Varna Hamlet Traditional District (VHTD) is to foster development in environmentally sensitive areas. This area is along Fall Creek, an important drainage area in the hamlet. Lot sizes and a limited amount of

development that is sensitive to these resources, and designed in a more traditional manner are preferred.

3. **Section 401: Zoning Map**, is hereby amended to read as follows:

“All land in the Town of Dryden shall fall within one of the established zones as shown on a map entitled the “Town of Dryden Zoning Map” dated December 1, 2012. The original and official Town of Dryden Zoning Map is filed with the Town Clerk. A reduced and unofficial copy is found in Appendix A.”

4. **Section 402: Boundary Determinations** is hereby amended by adding thereto a new subsection H to read as follows:

“H. One Parcel in Two Zones. Except in the VHMUD, VHRD, and VHTD, when a parcel is divided by a zoning district boundary, the regulations and requirements of the least restrictive zone may be extended for a distance of 100 feet into the more restrictive zone.”

5. **Section 501: Allowable Use Groups Chart** is hereby amended by deleting the column labeled “H Hamlet” from the chart.

6. **Section 600: Area and Bulk Table** is hereby amended by deleting the column labeled “H Hamlet” from the table.

7. There is hereby enacted and ordained a new Article VII to read as follows:

ARTICLE VII: VARNA

Section 700: Applicability

This Article applies only to the three zoning districts which constitute Varna: the Varna Hamlet Mixed Use District (VHMUD), Varna Hamlet Residential District (VHRD), and the Varna Hamlet Traditional District (VHTD).

Section 701: Design Guidelines and Standards

All development and re-development of Lots and property in Varna shall comply with the Varna Design Guidelines and Landscape Standards, including:

- A. Landscape Design. Any proposed development or re-development subject to a building permit or review under this Ordinance shall include a landscape and planting plan that includes:
 1. A map or sketch of existing vegetation to be retained or removed.
 2. A detailed landscape plan that includes a list of the number, type and location of proposed vegetation.

3. A narrative or drawing demonstrating how the development or re-development will preserve open space and existing natural features including mature trees, tree canopies, land forms, existing topography and vegetation.
- B. Streetscape and Sidewalk Design. Any proposed development or re-development subject to a building permit or review under this Ordinance shall include plans for sidewalks or pedestrian paths that contribute to the goal of a unified pedestrian network in Varna. Any such proposed development or re-development shall include a streetscape and sidewalk plan that includes:
1. A map or sketch and list of dimensions of proposed pedestrian paths, sidewalks, and trails.
 2. A map and sketch detailing streetscape amenities including lighting, sidewalk furniture (such as benches and refuse containers), signage, and a maintenance plan for such amenities, including provisions for snow removal.
 3. Any proposed development or re-development along Route 366 requires sidewalks.
- C. Building and Architectural Detail.
1. No proposed Building shall exceed 40 feet in height.
 2. Any proposed development shall be designed to preserve, as much as practicable, the existing views and line of sight of existing buildings and neighboring properties.
- D. Streets and Parking.
1. Any proposed development shall provide a circulation plan in and around the development for pedestrians, vehicles, and cyclists which includes a detailed map showing:
 - a. Proposed roads, trails and cyclist paths.
 - b. The connection of proposed roads, trails and cyclist paths to existing public highways.
 - c. Circulation patterns including points of ingress and egress.
 - d. The dimensions of any proposed roads, trails and cyclist paths.
 - e. The location of any proposed curbcuts to Route 366.
 - f. The location and number of proposed parking spaces.

2. New roads should be designed and located to preserve existing topography, as much as practicable.

Section 702: Varna Use Regulations

All uses in Varna shall comply, to the maximum extent practicable, with the Varna Design Guidelines and Landscape Standards.

- A. Planning Department Report. No application shall be deemed complete without a written report by the Planning Department detailing the extent to which the application complies with the Varna Design Guidelines and Landscape Standards.
 1. For applications which require either Town Board approval or Planning Board approval, such report shall be considered part of the application and subject to review by the respective Boards.
 2. For applications which require only a Building Permit, such report shall be completed prior to the issuance of a Building Permit.

- B. No structure or land in Varna shall be used except as provided in the Allowable Use Groups Chart in subsection C below. Uses which are not explicitly permitted are prohibited, unless specifically stated elsewhere in this Ordinance.

- C. Building Sizes:
 1. In the Varna districts, no Use shall include a Structure larger than 5,000 square feet without a Special Use Permit.
 2. All exemptions in Section 603 shall also apply in Varna.

- D. In the following Allowable Use Groups Chart:

“P” means the use is allowed as of right, but in many cases requires Site Plan Review;
 “SPR” means this use requires Site Plan Review;
 “Special Use Permit” or “SUP” means the use requires a Special Use Permit;
 “X” means the use is not allowed in that particular district.

Allowed Principal Uses	Varna Hamlet Mixed Use District (VHMUD)	Varna Hamlet Residential District (VHRD)	Varna Hamlet Traditional District (VHTD)	Minimum Lot Size
Agricultural Use	P	P	P	None
Farmstand	P	P	P	None

Allowed Principal Uses	Varna Hamlet Mixed Use District (VHMUD)	Varna Hamlet Residential District (VHRD)	Varna Hamlet Traditional District (VHTD)	Minimum Lot Size
Artist Studio/Craft Workshop	SPR	X	SPR	1/8 Acre
Automotive Repair Garage	SPR	X	X	1 Acre
Bed And Breakfast Establishment	SPR	SPR	SPR	None
Boarding House	SPR	SPR	SPR	¼ Acre
Day Care Center	SPR	SPR	X	1 Acre
Gasoline Station	SPR	X	X	2 Acres
General Office Building	SPR	SPR	X	1 Acre
Hotel/Motel	SPR	X	X	1 Acre
Industry, Light	SUP/SPR	SUP/SPR	X	2 Acres
Inn	SPR	SPR	SPR	½ Acre
Nursery/ Greenhouse, Retail	SPR	SPR	X	1 Acre
Professional Office	SPR	SPR	SPR	None
Restaurant	SPR	X	X	None
Retail Business	SPR	X	X	None
Retail shopping center/plaza	SPR	X	X	2 Acres
Retreat/Conference Center	SPR	SPR	X	2 Acres
Service Business	SPR	X	X	None
Theater	SPR	SPR	X	1 Acre
Bed and Breakfast, Home	SPR	SPR	SPR	None
Congregate Care Facility	SPR	SPR	X	1 Acre
Day care home, Family	SPR	SPR	SPR	None
Day Care, Family Group	SPR	SPR	SPR	None
Dwelling, accessory unit (See § 1311)	SPR	SPR	SPR	None
Dwelling, multi-family	SPR	SUP	SUP	1 Acre
Dwelling, single-family	P	P	P	None
Dwelling, two-family	SPR	SPR	SPR	10,000 square feet

Allowed Principal Uses	Varna Hamlet Mixed Use District (VHMUD)	Varna Hamlet Residential District (VHRD)	Varna Hamlet Traditional District (VHTD)	Minimum Lot Size
Dwelling, upper-floor apartments	SPR	SPR	SPR	None
Elder Cottages	See Section 1305	See Section 1305	See Section 1305	None
Home Occupation: Level 1	P	P	P	None
Home Occupation: Level 2	P	SPR	SPR	None
Manufactured Home	X	X	X	None
Manufactured Home Park	X	PUD	X	5 Acres
Senior Housing	SPR	SPR	SPR	1 Acre
Senior Care Facility	SPR	SPR	X	2 Acres
Workshop/Garage – Non-Commercial	P	P	P	None
Educational Use	SPR	SPR	X	None
Library	SPR	SPR	X	1 Acre
Lodge or Club	SPR	SPR	SUP	2 Acres
Municipal Use	SPR	SPR	X	None
Public Safety	SPR	SPR	X	½ Acre
Public Utility	SUP	SUP	SUP	½ Acre
Religious Institution	SPR	SPR	SUP	None
Recreation, Active	SPR	SPR	X	1 Acre
Recreation, Passive	SPR	SPR	SPR	None
Recreation Facility, Amusement	SPR	SPR	X	2 Acres
Recreation Facility, Athletic	SPR	SPR	X	2 Acres

Allowed Principal Uses	Varna Hamlet Mixed Use District (VHMUD)	Varna Hamlet Residential District (VHRD)	Varna Hamlet Traditional District (VHTD)	Minimum Lot Size
Agricultural Use	P	P	P	None
Farmstand	P	P	P	None

Allowed Principal Uses	Varna Hamlet Mixed Use District (VHMUD)	Varna Hamlet Residential District (VHRD)	Varna Hamlet Traditional District (VHTD)	Minimum Lot Size
Artist Studio/Craft Workshop	SPR	X	SPR	1/8 Acre
Automotive Repair Garage	SPR	X	X	1 Acre
Bed And Breakfast Establishment	SPR	SPR	SPR	None
Boarding House	SPR	SPR	SPR	¼ Acre
Day Care Center	SPR	SPR	X	1 Acre
Gasoline Station	SPR	X	X	2 Acres
General Office Building	SPR	SPR	X	1 Acre
Hotel/Motel	SPR	X	X	1 Acre
Industry, Light	SUP/SPR	SUP/SPR	X	2 Acres
Inn	SPR	SPR	SPR	½ Acre
Nursery/ Greenhouse, Retail	SPR	SPR	X	1 Acre
Professional Office	SPR	SPR	SPR	None
Restaurant	SPR	X	X	None
Retail Business	SPR	X	X	None
Retail shopping center/plaza	SPR	X	X	2 Acres
Retreat/Conference Center	SPR	SPR	X	2 Acres
Service Business	SPR	X	X	None
Theater	SPR	SPR	X	1 Acre
Bed and Breakfast, Home	SPR	SPR	SPR	None
Congregate Care Facility	SPR	SPR	X	1 Acre
Day care home, Family	SPR	SPR	SPR	None
Day Care, Family Group	SPR	SPR	SPR	None
Dwelling, accessory unit (See § 1311)	SPR	SPR	SPR	None
Dwelling, multi-family	SPR	SUP	SUP	1 Acre
Dwelling, single-family	P	P	P	None
Dwelling, two-family	SPR	SPR	SPR	10,000 square feet

Allowed Principal Uses	Varna Hamlet Mixed Use District (VHMUD)	Varna Hamlet Residential District (VHRD)	Varna Hamlet Traditional District (VHTD)	Minimum Lot Size
Dwelling, upper-floor apartments	SPR	SPR	SPR	None
Elder Cottages	See Section 1305	See Section 1305	See Section 1305	None
Home Occupation: Level 1	P	P	P	None
Home Occupation: Level 2	P	SPR	SPR	None
Manufactured Home	X	X	X	None
Manufactured Home Park	X	PUD	X	5 Acres
Senior Housing	SPR	SPR	SPR	1 Acre
Senior Care Facility	SPR	SPR	X	2 Acres
Workshop/Garage – Non-Commercial	P	P	P	None
Educational Use	SPR	SPR	X	None
Library	SPR	SPR	X	1 Acre
Lodge or Club	SPR	SPR	SUP	2 Acres
Municipal Use	SPR	SPR	X	None
Public Safety	SPR	SPR	X	½ Acre
Public Utility	SUP	SUP	SUP	½ Acre
Religious Institution	SPR	SPR	SUP	None
Recreation, Active	SPR	SPR	X	1 Acre
Recreation, Passive	SPR	SPR	SPR	None
Recreation Facility, Amusement	SPR	SPR	X	2 Acres
Recreation Facility, Athletic	SPR	SPR	X	2 Acres

Section 703: Varna Density Table

All residential uses in Varna are subject to the maximum number of Dwelling Units per area set forth in the following Varna Density Table.

Type of Development	Varna Hamlet Mixed Use District (VHMUD)	Varna Hamlet Residential District (VHRD)	Varna Hamlet Traditional District (VHTD)	Green Development Bonus (See Section 706)	Redevelopment Bonus (See Section 707)
Single Family Home	8 d.u. per 1 Acre	12 d.u. per 1 Acre	4 d.u. per 1 Acre	2 d.u. per 1 Acre	1 d.u. per 1 Acre or tax parcel
Duplex (Rental)	4 d.u. per 1 Acre	6 d.u. per 1 Acre	2 d.u. per 1 Acre	X	X
Townhouse	10 d.u. per 1 Acre	11 d.u. per 1 Acre	6 d.u. per 1 Acre	2 d.u. per 1 Acre	2 d.u. per 1 Acre or tax parcel
Condominium	10 d.u. per 1 Acre	10 d.u. per 1 Acre	6 d.u. per 1 Acre	1 d.u. per 1 Acre	1 d.u. per 1 Acre or tax parcel
Rental Apartments	6 d.u. per 1 Acre	4 d.u. per 1 Acre	3 d.u. per 1 Acre	4 d.u. per 1 Acre	4 d.u. per 1 Acre or tax parcel
Senior Housing	10 d.u. per 1 Acre	11 d.u. per 1 Acre	X	2 d.u. per 1 Acre	2 d.u. per 1 Acre or tax parcel
Residential over Commercial	2 d.u. per 5,000 square feet Commercial	2 d.u. per 5,000 square feet Commercial	2 d.u. per 5,000 square feet Commercial	1 d.u. per 5,000 square feet Commercial	1 d.u. per 5,000 square feet Commercial
Multi Family Rental– Detached Units	6 d.u. per 1 Acre	4 d.u. per 1 Acre	2 d.u. per 1 Acre	1 d.u. per 1 Acre	1 d.u. per 1 Acre or tax parcel

Section 704: Required Green Space Table

All uses in Varna shall incorporate the amount of Green Space set forth in the following table.

Varna District	Required Green Space
Varna Hamlet Mixed Use District (VHMUD)	40% of Lot
Varna Hamlet Residential District (VHRD)	60% of Lot
Varna Hamlet Traditional District (VHTD)	70% of Lot

Section 705: Area and Bulk Table

The following table includes the minimum requirements for a building lot. Unless otherwise indicated this table does not indicate the number of lots that can be created from a parcel.

	VHMUD, VHRD and VHTD
Minimum front yard setback	10 feet
Minimum side yard setback	None or 7.5 feet if buildings are not attached
Accessory Building with less than 15 feet Building Height and 200 square feet or less	1 foot
Minimum rear yard setback	25 feet
Accessory Building less than 15 feet Building Height and 200 square feet or less	1 foot
Minimum Lot Frontage	45 feet

Section 706: Green Neighborhood Development; Additional Density

In addition to the density permitted in the Varna Density Table in Section 703, a density bonus may be awarded if a Neighborhood Development proposal achieves at least basic LEED certification (40 points) according to the 2009 LEED Neighborhood Development protocol.

Section 707: Redevelopment; Additional Density

- A. In addition to the density permitted in the Varna Density Table in Section 703, a density bonus may be awarded Redevelopment of existing tax parcel(s) according to the table in Section 703. For purposes of this section a tax parcel shall be determined according to the 2012 final assessment toll. The Redevelopment Bonus may be computed on either a per acre or tax parcel basis, whichever produces the largest bonus.
- B. In addition to the density bonus provided in subsection (A) above, an additional density bonus may be awarded if Redevelopment of an existing tax parcel achieves at least a basic LEED certification.

Section 708: Planned Unit Development

A Planned Unit Development (PUD) shall be developed in accordance with the provisions in Article X.

- 8. **Section 1003: Procedure for Review and Approval** is hereby amended by adding a new subsection B(4)(l) to read as follows:

“(l) for projects in Varna, a statement of how the proposed PUD is consistent with the *Hamlet of Varna Community Development Plan*.”

- 9. **Section 1004: Use of Design Guidelines** is hereby amended to read as follows:

- “A. Except in Varna, all PUD Development Plans shall incorporate to the maximum extent feasible the Town of Dryden Commercial Development Design Guidelines and/or Residential Development Design Guidelines, as the case may be.
- B. In Varna, all PUD Development Plans shall comply with the Varna Design Guidelines and Landscape Standards.”

10. The blank spaces in the aforesaid definition of Varna Design Guidelines and Landscape Standards shall be the date these amendments become effective as provided by law.

2nd Cl Leifer

Roll Call Vote	Cl Stelick	Yes
	Cl Solomon	Yes
	Supv Sumner	Yes
	Cl Leifer	Yes
	Cl Lavine	Yes

Gateway Signage Project

Jean McPheeters, President of the Chamber of Commerce, said they are the administrator for the Beautification Program. It is beautification, public arts and signage. One of the things they have wanted to do for a long time is put welcome signs at the entrance to the County on the main roads. A map of the county showing the location of 11 such signs and a sample sign was presented to the board. In Dryden, the signs would be on Routes 13 and 38 at the County line. This is not an easy task because of the approvals required by NYS DOT. That approval requires permission from each of the towns and agreement on a few things. Money from the County Tourism fund will pay for the signs, which will be created and erected by the County Highway Department. The permittee (the towns in this case) will be individually responsible for the maintenance of the signs in the future. She believes this generally means mowing around it so that it is visible. The County has money in a signage fund to cover any damages.

Supv Sumner said she will be happy to consider this, and will ask the DPW about the maintenance before the board takes action.

M Lane asked if this sign would be in addition to the Town’s entrance signs erected during the Bicentennial. J McPheeters said the old signs would have to be taken down. They would be larger (4’ x 6’) highway signs.

The county has money in beautification funds for plantings at the base (shrubs or something that doesn’t require watering).

Supv Sumner will follow up with Ms McPheeters.

TOWN CLERK

RESOLUTION #186 (2012) – APPROVE MINUTES

Cl Stelick offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby approves the meeting minutes of November 8, November 15, and November 19, 2012.

2nd Cl Solomon

Roll Call Vote	Cl Stelick	Yes
	Cl Solomon	Yes
	Supv Sumner	Yes
	Cl Leifer	Yes
	Cl Lavine	Yes

HIGHWAY/DPW

No report.

COUNTY BRIEFING

Mike Lane said last night there was a special candlelight service sponsored by the Dryden fire department and churches in commemoration of the tragedy in Newtown, CT. He thanked Supv Sumner for her appropriate comments and said it was good that we thought about that.

He hopes that as part of the Varna plan the town will press NYS DOT for a rebuild. The area has needed that for a long time.

M Lane sent the Highway Superintendent an email last night that the county had passed a resolution to share the cost of the Virgil Creek Dam inspection. He thanked Jack Bush and the town for taking the lead on moving forward with inspection and for the annual maintenance that is done there. The County's position has been iffy in past and with a new administrator and director of highways, it makes sense for them to be a part of it. The resolution passed unanimously.

The Office for the Aging offices retrofit is coming to completion, and they hope to move the office by January 15. There will be an open house.

The County has opened bids for retrofit of the legislative chambers. They are currently under review by the architect and County Administration.

RECREATION DEPARTMENT

No report

PLANNING DEPARTMENT

Jane Nicholson reported that she met with Cl Lavine, J Bogdan, M Bianconi and Bard Prentiss regarding trails. They discussed the history, where we've come from and where we're going. They will be especially pushing forward with the Varna trail and identifying landowners and necessary easements. They will meet in the next week or so to set an action plan for the coming year. Cl Lavine said they are hoping for a more formal meeting in the future, and she asked whether there was existing money that could be used for this project. Supv Sumner said she would discuss that with her.

Supv Sumner said she spoke with Fernando de'Aregon regarding trails and he agrees that the most challenging part is the NYSEG to Freeville area. They talked about whether that could be rolled in with a Bolton Point water to Freeville dream.

NEW BUSINESS

The board has an Order Calling a Public Hearing in the matter of the septage receiving facility improvement project. Atty Perkins said the order details the fact that the Town will not be issuing any bonds, but pursuant to contract, the City of Ithaca will pay the town's proportionate share of the finance costs and principal on the bonds that the city will issue on behalf of all three owners of the plant. Instead of having joint and several obligations of the Town of Dryden, Town of Ithaca and City of Ithaca, the City will issue the bonds. The towns of Ithaca and Dryden by agreement will pay, annually or however it is finally agreed on, their proportionate share of that debt service.

Supv Sumner said this is part of the plant improvement projects from many years ago, but was delayed because of the environmental cleanup issues over the coal tar on site. They are now ready to proceed.

After the public hearing, the board members will have to sign the agreement between the municipalities.

**RESOLUTION #187 (2012) – ADOPT ORDER CALLING PUBLIC HEARING –
SEPTAGE RECEIVING FACILITY IMPROVEMENT PROJECT**

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

RESOLVED, that this Town Board hereby adopts the following order and schedules the public hearing for January 17, 2013 at 7:00 p.m.:

ORDER CALLING PUBLIC HEARING

IN THE MATTER OF THE PROPOSED IMPROVEMENT PROJECT PURSUANT TO TOWN LAW §202-b FOR THE WASTEWATER TREATMENT PLANT IN THE CITY OF ITHACA SERVING THE TOWN OF DRYDEN KNOWN AS THE SEPTAGE RECEIVING FACILITY IMPROVEMENT PROJECT

WHEREAS, a plan, report and map have been duly prepared in such manner and in such detail as heretofore has been determined by the Town Board of the Town of Dryden, Tompkins County, New York, relating to the construction, pursuant to Town Law § 202-b of improvements to be known and identified as the Septage Receiving Facility Improvement Project, and hereinafter also referred to as "the Improvement Project," to provide such improvements to the present wastewater treatment plant in the City of Ithaca managed jointly with the Towns of Ithaca and Dryden and providing wastewater treatment services for the Town sewer districts served by such wastewater treatment plant, such improvements to be constructed and owned by the Town of Ithaca, Town of Dryden, and the City of Ithaca, and

WHEREAS, said plan, report and map have been prepared by Gerald C. Hook, Professional Engineer, duly licensed by the State of New York and have been filed in the office of the Town Clerk where they are available for public inspection, and

WHEREAS, the area of said Town determined to be benefited by said Septage Receiving Facility Improvement Project consists of the entire area of said Town sewer districts served by the wastewater treatment plant in the City of Ithaca, and

WHEREAS, the proposed Improvement Project consists of the improvements set forth below, as more particularly shown and described in said plan, report and map presently on file in the Office of the Town Clerk:

Upgrade of existing septage receiving facility including a new underground storage tank, new food waste collection tanks, renovation of existing tanks to improve screening systems and mixing systems, and

WHEREAS, the maximum proposed to be expended for the aforesaid improvements is \$3,060,475.00 of which the Town of Dryden's share is not to exceed \$60,934.00. The proposed method of financing to be employed by said Town of Dryden is as follows: Ithaca Area Wastewater Treatment Facility co-owner City of Ithaca will issue bonds to pay for the City of Ithaca's share of the improvements at the Facility as well as for the Town of Dryden's improvement. The Town of Dryden will not co-issue or be liable on the bonds. The Town of Dryden will reimburse the City of Ithaca through a contract between the City of Ithaca and the Town of Dryden. The Town of Dryden's contractual payments to the City of Ithaca will be paid by expenditure of current revenues and surplus funds from sewer rents and charges from the Town of Dryden sewer districts served by the Ithaca Area Wastewater Treatment Facility, and

WHEREAS, the implementation of this project will be through a joint agreement with the City of Ithaca and the Town of Ithaca,

NOW, THEREFORE, IT IS HEREBY ORDERED, by the Town Board of the Town of Dryden, Tompkins County, New York, as follows:

Section 1. A public hearing will be held at the town hall, 93 East Main Street, Dryden, in said Town, on the 17th day of January, 2013 at 7:00 o'clock p.m. to consider the aforesaid plan, report and map and the questions of the providing of said Improvement Project, and the question of executing any related agreement, and to hear all persons interested in the subject thereof, all in accordance with the provisions of Town Law §202-b and applicable provisions of the General Municipal Law and Local Finance Law.

Section 2. The Town Clerk of the Town of Dryden, Tompkins, County, New York, is hereby authorized and directed to cause a copy of this order to be published once in the official newspaper of the Town, and also to post a copy thereof on the Town signboard maintained by the Clerk, not less than ten (10) nor more than 20 days before the day designated for the hearing as aforesaid.

Section 3. This order shall take effect immediately.
2nd Cl Stelick

Roll Call Vote	Cl Stelick	Yes
	Cl Solomon	Yes
	Supv Sumner	Yes
	Cl Leifer	Yes
	Cl Lavine	Yes

Supv Sumner said the board has been dealing with a water tank on Burdick Hill, and that was necessary in order to decommission the old tank and replace it. When the project is complete the tanks will operate in tandem and provide better service. It will also enable Bolton Point to provide water to the City while they are in the process of rebuilding the plant.

RESOLUTION #188 (2012) – ADOPT ORDER CALLING PUBLIC HEARING – BURDICK HILL TANK

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

RESOLVED, that this Town Board hereby adopts the following order and schedules the public hearing for January 17, 2013 at 7:15 p.m.:

In the Matter
of
The Joint Increase and Improvement of the
Facilities of the Water District No. 1, Snyder Hill
Water District, Monkey Run Water District, Hall
Road Water District, Turkey Hill Water District,
and Royal Road Water Districts in the Town of
Dryden, Tompkins County, New York

ORDER
CALLING
PUBLIC
HEARING

WHEREAS, the Town Board of the Town of Dryden, Tompkins County, New York, in conjunction with the Village of Lansing and the Village of Cayuga Heights, and the Towns of Lansing and Ithaca, has determined and agreed to participate in the provision of a joint water project for construction of a new replacement water tank at Burdick Hill Road and to contract joint indebtedness therefor in accordance with Section 15.00 of the Local Finance Law pursuant an Agreement of Municipal Cooperation for Construction, Financing and Operation of an Inter-Municipal Water Supply and Transmission System (the "Intermunicipal Agreement"); and

WHEREAS, the Town Board of the Town of Dryden, Tompkins County, New York, has had under consideration for said purpose the joint increase and improvement of the facilities of the Water District No. 1, Snyder Hill Water District, Monkey Run Water District, Hall Road Water District, Turkey Hill Water District, and Royal Road Water Districts in and for said Town, consisting of the construction of a new replacement water tank at Burdick Hill Road; and

WHEREAS, a map, plan and report including an estimate of cost, relating to said joint increase and improvement of facilities has been duly prepared; and

WHEREAS, the maximum estimated cost to said Districts of such joint increase and improvement is initially determined to be \$57,450, it being further determined that the remaining \$1,442,550 of the overall \$1,500,000 cost of this project, shall be initially apportioned and allocated to the Villages of Lansing and Cayuga Heights and the Consolidated Water District (including Consolidated Water District Extensions #1 and #2) in the Town of

Lansing and water improvement areas in the Town of Ithaca and that joint indebtedness shall be issued therefor and that the ultimate share of the cost to be allocated to the Town of Dryden pursuant to the aforescribed Intermunicipal Agreement shall be determined on the basis of benefits received or conferred or to be received or conferred from the aforesaid improvement; and

WHEREAS, the cost shall be annually apportioned and the amounts so apportioned shall be annually assessed upon all the taxable real property in each such District at the same time and in the same manner as other Town charges, in an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds; and

WHEREAS, said \$1,500,000 maximum estimated cost shall be authorized to be financed by the joint issuance by the Town of Ithaca, with the Towns of Lansing and Dryden and the Village of Cayuga Heights and Lansing, of joint serial bonds with a maximum not in excess of the forty year period prescribed by the Local Finance Law; and

WHEREAS, the aforesaid project has been determined to be an Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, it has been determined in accordance with the criteria in 6 NYCRR Section 617.5(c)(2) will not result in any significant environmental effects and will not be subject to further review; and

WHEREAS, it is now desired to call a public hearing on said proposed joint increase and improvement and the map, plan and report including estimate of cost pursuant to Section 202-b of the Town Law; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Dryden, Tompkins County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Dryden, Tompkins County, New York, shall be held at 93 East Main Street, in Dryden, New York, in said Town, on the 17th day of January, 2013, at 7:15 o'clock p.m., Prevailing Time, for the purpose of conducting a public hearing on the proposed joint increase and improvement of the facilities of Water District No. 1, Snyder Hill Water District, Monkey Run Water District, Hall Road Water District, Turkey Hill Water District, and Royal Road Water Districts in said Town and the map, plan and report including estimate of cost as described in the preambles hereof, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

Section 2. The Town Clerk is hereby authorized and directed to cause a notice of said public hearing to be published in the official newspaper of said Town, and posted in the manner prescribed by law, which notice shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 3. This Order shall take effect immediately.

2nd Cl Solomon

Roll Call Vote	Cl Stelick	Yes
	Cl Solomon	Yes
	Supv Sumner	Yes
	Cl Leifer	Yes
	Cl Lavine	Yes

Supv Sumner said it is necessary to modify the rate for the Sapsucker Woods Sewer District because that area discharges to the Cayuga Heights Sewer Plant. They are changing the way that service is billed, and we need to change the rate for that district.

**RESOLUTION #189 (2012) – INTRODUCE LOCAL LAW REGARDING
SAPSUCKER WOODS SEWER RATE CHANGE**

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

RESOLVED, that this Town Board hereby introduces the following local law and sets the public hearing on the same for January 17, 2013 at 7:30 p.m.

SECTION 1. TITLE. This local law shall be known as the Town of Dryden Sewer District No. 1 Sewer Rent Law.

SECTION 2. AUTHORITY. This sewer rent law is enacted pursuant to Article 14-F of the New York General Municipal Law.

SECTION 3. APPLICATION. This sewer rent law shall apply only to Dryden Sewer District No. 1, and any future sewer districts established by the Town Board of the Town of Dryden which collect and transport, in whole or in part, wastewater from its origin via any such sewer system to the Village of Cayuga Heights Wastewater Treatment Facility.

SECTION 4. BASIS OF THE CHARGE OF SEWER RENTS. The basis of the charge for sewer rents shall be on the consumption of water on the premises connected with and served by the sewer system. Water shall be measured by means of a water meter and shall include all water furnished the premises. In the event that there is no water meter connected to the premises served by the sewer system then a minimum sewer rent shall be charged and collected as hereinafter provided.

SECTION 5. PAYMENT DATES; PENALTIES; AND ENFORCEMENT.

(1) Billing of sewer rents shall be quarterly with bills due on January 1; April 1; July 1; and October 1. Each bill shall be for the preceding quarter.

(2) Payment of the sewer rents shall be made within 20 days of billing without penalty.

(3) Any payment received after 20 days of billing shall include a 10% penalty of the amount due.

(4) On October 1 of each year, the amounts of all past due bills, plus penalties, shall be certified by the Town Clerk and shall be collected and enforced in the same manner and at the same time as provided by law for the collection and enforcement of Town taxes.

SECTION 6. CALCULATION OF SEWER RENT. The district shall charge and collect for the use of the sewer system the sewer rent rates as provided in this local law. In computing the sewer rent, the following shall apply:

(a) The water meter for the premises connected to the sewer system shall be read and the water consumption computed for each billing period.

(b) Based upon the water usage, the calculation of the sewer rent shall be made by multiplying the number of gallons consumed in the billing period by \$0.382 per 100 gallons. The product shall be the sewer rent for the billing period.

(c) In the event that the product computed according to sub-section (b) above is less than \$38.20 then the bill shall be rounded up to \$38.20 which shall be a minimum bill for each billing period. In the event the premises are not connected to a water meter, then a minimum bill as set forth herein shall be imposed for each billing period, until such time as a water meter is installed. All premises served by the sewer system shall have a water meter installed within nine (9) months of connection of the premises to the sewer system.

SECTION 7. SEWER RENT FUND.

(A) Revenues derived from sewer rents, including penalties, shall be credited to a special fund for the sewer district, to be known as the "Dryden Sewer District No. 1 Sewer Rent Fund." Monies in such fund shall be used in the following order:

(1) For the payment of the costs of operation, maintenance, and repairs of the sewer system or such part or parts thereof for which sewer rents have been established and imposed.

(2) For the payment of the interest on and amortization of, or payment of, indebtedness which has been or shall be incurred for the construction of sewage treatment and disposal works with necessary appurtenances including pumping stations, or for the extension, enlargement, or replacement of, or addition to, such sewer system, or part or parts thereof.

(3) For transportation charges imposed by any other municipality or entity for the transport of sewage via such other municipalities sewer mains, interceptors or lines.

(B) Such revenues from sewer rents shall not be used (1) to finance the cost of any extension or any part of a sewer system (other than any sewage treatment or disposal works with necessary appurtenances including pumping stations) to serve unsewered areas if such part has been constructed wholly or partly at the expense of the real property especially benefited, or (2) for the payment of the interest on, and the amortization or payment of, indebtedness which is to be paid in the first instance from assessments upon the benefited real property.

SECTION 8. EFFECTIVE DATE. This local law shall take effect upon filing with the Secretary of State and the compliance with the provisions of the New York General Municipal Law.

2nd Cl Stelick

Roll Call Vote	Cl Stelick	Yes
	Cl Solomon	Yes
	Supv Sumner	Yes
	Cl Leifer	Yes
	Cl Lavine	Yes

Supv Sumner said the Peregrine Hollow district discharges to the Ithaca Area Wastewater Treatment by way of the Town of Ithaca. It is now necessary to increase the rate in that district.

RESOLUTION #190 (2012) – INTRODUCE LOCAL LAW REGARDING PEREGRINE HOLLOW SEWER RATE CHANGE

Cl Stelick offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby introduces the following local law and sets the public hearing on the same for January 17, 2013 at 7:45 p.m.

SECTION 1. TITLE. This local law shall be known as the Peregrine Hollow Sewer District Sewer Rent Law.

SECTION 2. AUTHORITY. This sewer rent law is enacted pursuant to Article 14-F of the New York General Municipal Law.

SECTION 3. APPLICATION. This sewer rent law shall apply only to the Peregrine Hollow Sewer District.

SECTION 4. BASIS OF THE CHARGE OF SEWER RENTS. The basis of the charge for sewer rents shall be on the consumption of water on the premises connected with and served by the sewer system. Water shall be measured by means of a water meter and shall include all water furnished the premises. In the event that there is no water meter connected to the

premises served by the sewer system then a minimum sewer rent shall be charged and collected as hereinafter provided.

SECTION 5. PAYMENT DATES; PENALTIES; AND ENFORCEMENT.

(1) Billing of sewer rents shall be quarterly with bills due on January 1; April 1; July 1; and October 1. Each bill shall be for the preceding quarter.

(2) Payment of the sewer rents shall be made within 20 days of billing without penalty.

(3) Any payment received after 20 days of billing shall include a 10% penalty of the amount due.

(4) On October 1 of each year, the amounts of all past due bills, plus penalties, shall be certified by the Town Clerk and shall be collected and enforced in the same manner and at the same time as provided by law for the collection and enforcement of Town taxes.

SECTION 6. CALCULATION OF SEWER RENT. The district shall charge and collect for the use of the sewer system the sewer rent rates as provided in this local law. In computing the sewer rent, the following shall apply:

(a) The water meter for the premises connected to the sewer system shall be read and the water consumption computed for each billing period.

(b) Based upon the water usage, the calculation of the sewer rent shall be made by multiplying the number of gallons consumed in the billing period by \$0.275 per 100 gallons. The product shall be the sewer rent for the billing period.

(c) In the event that the product computed according to sub-section (b) above is less than \$27.50 then the bill shall be rounded up to \$27.50 which shall be a minimum bill for each billing period. In the event the premises are not connected to a water meter, then a minimum bill as set forth herein shall be imposed for each billing period, until such time as a water meter is installed. All premises served by the sewer system shall have a water meter installed within nine (9) months of connection of the premises to the sewer system.

SECTION 7. SEWER RENT FUND.

(A) Revenues derived from sewer rents, including penalties, shall be credited to a special fund for the sewer district, to be known as the "Peregrine Hollow Sewer District Sewer Rent Fund." Monies in such fund shall be used in the following order:

(1) For the payment of the costs of operation, maintenance, and repairs of the sewer system or such part or parts thereof for which sewer rents have been established and imposed.

(2) For the payment of the interest on and amortization of, or payment of, indebtedness which has been or shall be incurred for the construction of sewage treatment and disposal works with necessary appurtenances including pumping stations, or for the extension, enlargement, or replacement of, or addition to, such sewer system, or part or parts thereof.

(3) For transportation charges imposed by any other municipality or entity for the transport of sewage via such other municipalities sewer mains, interceptors or lines.

(B) Such revenues from sewer rents shall not be used (1) to finance the cost of any extension or any part of a sewer system (other than any sewage treatment or disposal works with necessary appurtenances including pumping stations) to serve unsewered areas if such part has been constructed wholly or partly at the expense of the real property especially benefited, or (2) for the payment of the interest on, and the amortization or payment of, indebtedness which is to be paid in the first instance from assessments upon the benefited real property.

SECTION 8. EFFECTIVE DATE. This local law shall take effect upon filing with the Secretary of State and the compliance with the provisions of the New York General Municipal Law.

2nd Cl Solomon

Roll Call Vote	Cl Stelick	Yes
	Cl Solomon	Yes
	Supv Sumner	Yes
	Cl Leifer	Yes
	Cl Lavine	Yes

Supv Sumner said it has come to the Town of Ithaca’s attention that they had not been billing for the Sapsucker Road District for charges for sewer that went through the Town of Ithaca infrastructure to Cayuga Heights. Ithaca wanted to bill the Town of Dryden about \$80,000 for the Sapsucker and Peregrine districts. Supv Sumner has offered around \$40,000, which will not cause a hardship on the fund balance in those districts. She was able to do this because of the impeccable records we have here. She hopes to reach an agreement in the near future. She has reminded the Cayuga Heights mayor that we need a new sewer agreement.

AFCU IDA Program

Cl Leifer said this is an individual development account for small business owners through which they receive a matched savings from the Town. The board has the documents used when the program was first initiated in 2008. AFCU now has some folks interested in the program. AFCU would like a new agreement signed. The only change is that one fee for participants was changed from \$10 to \$20. The forms previously developed will be used.

Supv Sumner asked Cl Leifer to verify the match amounts. The documents indicate a 2 to 1 match and she recalls the intent was \$1 from us and \$1 from a federal program. She asked Cl Leifer to find out whether AFCU has any funding to add to the match and have it clarified in the agreement.

RESOLUTION #191 (2012) – ESTABLISH STANDARD WORK DAY AND REPORTING

Cl Stelick offered the following resolution and asked for its adoption:

RESOLVED, that the Town of Dryden hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard work day (hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System Y/N	Days/Month (based on Record of Activities)
Elected Officials					
Highway Superintendent	Jack Bush	8	01/01/2010 - 12/31/2013	N	20
Town Clerk	Bambi Avery	8	01/01/2012 - 12/31/2015	N	20
Board Member	Jason Leifer	6	01/01/2010 - 12/31/2013	N	6.76
Board Member	Stephen Stelick, Jr.	6	01/01/2010 - 12/31/2013	N	4.13
Town Justice	Christopher Clauson	6	01/01/2012 - 12/31/2015	N	5.31
Appointed Officials					
Deputy Town Highway Superintendent 2 nd Cl Solomon	Randy Riker	8	01/01/2012 - 12/31/2013	N	20
Roll Call Vote	Cl Stelick		Yes		
	Cl Solomon		Yes		
	Supv Sumner		Yes		
	Cl Leifer		Yes		
	Cl Lavine		Yes		

Supv Sumner said there will be a new provision in the fire contracts that two departments will be activated for every structure call and for motor vehicle accidents between 6:00 a.m. and 6:00 p.m. This requires departments to file a response plan. The Varna chief doesn't think it will work and that dispatch will not be able to accomplish it. Dispatch claims it is possible and Supv Sumner said this is a step in the right direction.

Cl Stelick would like a fire department representative to come to board meetings with reports on a regular basis. The departments could rotate the responsibility.

Supv Sumner thanked Mark Bell for his work on this. Andy Down has also been wonderful this year. Cl Stelick commends on a job well done. Supv Sumner reported that Etna has done a great job with the training facility and departments all over the county are using it. Varna has been wonderful in many ways, and are now undergoing some serious leadership problems.

RESOLUTION #192 (2012) – AUTHORIZE SUPERVISOR TO SIGN FIRE CONTRACTS

Cl Stelick offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby authorizes the Town Supervisor to execute fire contracts for the following amounts:

- Neptune Hose Company No. 1 of Dryden, Inc. \$234,584.
- Varna Volunteer Fire Company, Inc. \$245,341.
- W. B. Strong Fire Company of Freeville. Inc. \$178,000.
- Etna Volunteer Fire Department, Inc. \$125,000.
- Brooktondale Fire District \$ 23,970.

2nd Cl Solomon

Roll Call Vote	Cl Stelick	Yes
	Cl Solomon	Yes
	Supv Sumner	Yes
	Cl Leifer	Yes
	Cl Lavine	Yes

B Avery asked the board to authorize postage for mailing the tax bills. When the exact amount is determined the bookkeeper will cut a check to be taken to the post office.

RESOLUTION #193 (2012) – AUTHORIZE POSTAGE FOR TAX BILLS

Cl Stelick offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby authorizes postage for mailing the 2013 real property tax bills for an amount not to exceed \$2,500.00.

2nd Cl Solomon

Roll Call Vote	Cl Stelick	Yes
	Cl Solomon	Yes
	Supv Sumner	Yes
	Cl Leifer	Yes
	Cl Lavine	Yes

Teamsters Contract – Supv Sumner thanked Cl Leifer for participating in very successful negotiations and Jack Bush for putting together a very good proposal. In general terms, the new contract provides for a pay increase of an average of \$.40 per hour, very close to 2%. A lot of thought went into this and there was almost no discussion regarding pay. Insurance will now be provided through the consortium. There was extensive discussion regarding benefit time. J Bush proposed a change to vacation entitlement so you got your 3rd and 4th week earlier, and eliminating a week for longevity. Vacation accrual will be on a calendar year rather than an anniversary date. Employees may use their clothing allowance at Homer Men and Boys or Famous Brands in Watkins Glen. This will be a three-year contract. They are currently waiting for a vote by the membership.

RESOLUTION #194 (2012) – APPROVE TEAMSTERS CONTRACT

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

RESOLVED, that this Town Board hereby approves a three-year contract with Teamsters Local 317, pending approval by the membership.

2nd Cl Stelick

Roll Call Vote	Cl Stelick	Yes
	Cl Solomon	Yes
	Supv Sumner	Yes

Cl Leifer	Yes
Cl Lavine	No

Road Use Local Law – the Planning Department is compiling a list of stakeholders and planning a meeting with them.

COMMITTEE REPORTS

Finance Committee – is working on a fund balance policy and referring to the City of Cortland policy as a model. They will be scheduling audits with town departments.

Other Business

From TCCOG – Carolyn Peterson reported the Environmental Management Council is updating the County Report on the State of the Environment. They are asking for information from other municipalities to guide them, and Supv Sumner will be asking the Conservation Board to consider this project.

The Tompkins County Health Insurance Consortium reports a 1.7 million dollar unencumbered fund balance (in addition to the 1.5 million they are required to retain in reserves). Through November they processed 16 million in medical claims and 6 million in prescription claims. The Consortium is not quite ready to repay capitalization loans, but will be discussing that next year. There are currently 2000 contracts covering 4500 people.

The board discussed the process for recruitment for the volunteer boards in the coming year and will follow up with the Town Clerk.

Supv Sumner will once again be asking the volunteer boards to provide her with a report, including their goals for coming year.

Cl Stelick and Cl Leifer expect they will be ready to move forward with formation of the Ag committee in another month or so. They need to finalize the wording, and will be discussing that with Atty Perkins after the first of the year.

There being no further business, on motion made, seconded and unanimously carried, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Bambi L. Avery
Town Clerk