



Tompkins County
DEPARTMENT OF PLANNING AND SUSTAINABILITY

121 East Court Street
Ithaca, New York 14850

Katherine Borgella, AICP
Commissioner of Planning and Sustainability

Telephone (607) 274-5560

July 27, 2020

Ray Burger, Planning Director
Town of Dryden
93 East Main St.
Dryden, NY 13053

Re: Review Pursuant to §239 -l, -m and -n of the New York State General Municipal Law
Action: Proposed Local Law Amending Town of Dryden Zoning Law Regarding Varna

Dear Mr. Burger:

This letter acknowledges your referral of the proposal identified above for review and comment by the Tompkins County Department of Planning and Sustainability pursuant to §239 -l, -m and -n of the New York State General Municipal Law. The Department has reviewed the proposal, as submitted, and has determined that it may have negative inter-community, or county-wide impacts as described below. We recommend modification of the proposal. If the Board does not incorporate the recommendations, such approval will require a vote of a supermajority (meaning a majority plus one) of all members of the decision-making body.

Recommended Modifications

Varna Density Table

We recommend the Town Board not adopt the proposed changes to the Varna Density Table (Section 704 of the proposed zoning law), and instead leave in place the existing Varna Density Table (Section 703 of the existing zoning law).

The proposed Varna Density Table would greatly reduce the allowed density of housing development in the hamlet. For example, we note that the existing Varna Density Table allows housing development within the Varna Hamlet Residential District at densities ranging from 5 dwelling units per acre up to 14 dwelling units per acre (with green development bonuses). The proposed Varna Density Table would allow housing development in that district at densities ranging from 4 dwelling units per acre up to only 8 dwelling units per acre (with green development bonuses).

The County's 2015 Comprehensive Plan's Chapter on Development Patterns (copy attached) identifies Varna as one of the five "Established Nodes" in Tompkins County. It further explains why nodal development is important and why we are making this recommendation to support current density in Varna:

"Nodal development, that is, development that is clustered in an existing or planned population center, is a way to direct growth towards existing communities already served by viable infrastructure. Nodal development uses the resources existing neighborhoods offer and maintains the value of public and private investment in community infrastructure and facilities. By encouraging development in these areas, communities benefit from a stronger tax base, closer

proximity of jobs and services, increased efficiency of already developed land and infrastructure, reduced development pressure in fringe areas, and conservation of farmland and open space.”

The County’s *Development Focus Areas Strategy* (copy attached) provides more detail on each identified node and recommends that net housing densities within “established nodes” should range from at least 4 units up to 15 units per developed acre, with higher densities generally located in the core. The DFA Strategy noted that this level of density is required to support most basic neighborhood-scale commercial services, an integral ingredient to a vibrant residential setting.

In addition to the DFA Strategy recommendations, the *Tompkins County Housing Strategy* (copy attached) identifies four “gaps” in the County’s housing market: supportive housing/special needs beds, senior housing, workforce units, and student beds. To adequately address these needs, the *Housing Strategy* acknowledges the need to support housing development within the County’s Development Focus Areas where that development can make efficient use of existing infrastructure and optimal use of public transportation.

Varna Density Table – Footnote 2 (Varna Hamlet Residential District)

Within the Varna Density Table, we recommend deleting footnote 2. The footnote reads:

“Multi-family units limited to covering no more than 40% of the acreage remaining after removing the open space land.”

Section 705 establishes a required green space for this district at 60% of the lot. We interpret this footnote to mean that a multi-family development would be restricted to 16% of the lot (40% x remaining 40% = 16%). This limitation is excessively restrictive and would significantly impinge on the ability for multi-family units to locate in the hamlet, thus making it even more difficult to achieve the densities recommended for this established node.

Comment

On a related matter, but not a formal recommendation under this GML 239 review, the language of the proposal seems to use the terms “green space” and “open space” interchangeably. Since the term “green space” is defined in the proposed law, we suggest replacing the term “open space” with “green space” throughout the law.

Please inform us of your decision so that we can make it a part of the record.

Sincerely,



Katherine Borgella, AICP
Commissioner of Planning and Sustainability

Cc: Martha Robertson, Tompkins County Legislator, District 13
Glenn Morey, Tompkins County Legislator, District 9
Mike Lane, Tompkins County Legislator, District 14

Attachments