

To: Dryden Planning Board

May 20, 2020

From: David Weinstein
51 Freese Road,
Ithaca, NY 14850

Re: Concerns about the Maifly proposed development at 9 Freese Road

Since I may not be permitted to participate as a member of the Planning Board in the discussion over the proposed development at 5 Freese Road and 9 Freese Road, I am writing this summary of the most important of my concerns about this proposal as a 38-year citizen of the Town of Dryden, a 34-year resident of the hamlet of Varna, and a neighbor of the property slated for development. Obviously, the aesthetic and physical impacts of such a large development on immediate locality are enormous. However, my concerns focus on issues of greater importance for the Varna community at large.

1. The density of the proposed development is incompatible with the Varna Plan.

As was recognized in the Planning Board's unanimous recommendation to reduce the allowable density on hamlet properties like the one on Freese Road to bring the zoning into alignment with the Varna Plan, allowing developers to build at densities called for in the Maifly proposal deviates further and further from the Varna Plan.

As we have seen in all recent proposals for the hamlet, developers inevitably propose to build at the maximum allowable density instead of proposing a lower density that would be more in keeping with the surrounding properties and character. In the case at 902 Dryden Road where the developer was required to reduce the number of units, the developer is apparently able to make a profit, with the rental cost at a level that attracted enough residents to be at maximum capacity. The Planning Board should take a stance to require Maifly project to reduce the proposed density to be compatible with Varna's officially adopted Plan.

Under state law, the primary responsibility of the Planning Board first and foremost is to ensure that proposed projects are compatible with the official Comprehensive Plan, of which the Varna Plan is a part. It has been claimed that the Board must allow building at the densities allowed under the current zoning regulations rather than requiring developers to adjust their plans to conform to the Varna Plan. If the current zoning produces densities that make it impossible for the community to achieve its goals identified in the Comprehensive Plan, the responsibility of the Planning Board is to request modifications to proposals in order to keep on track with those goals.

Under the proposed new zoning this development on 9 Freese Rd would be limited to 15 units instead of 32 units technically allowable under the current zoning. A density of 15 units would make the development much more compatible with the current character of the surrounding residences.

2. Driver safety will be dramatically compromised at the Rt 366-Freese Road intersection.

There are already frequent backups of cars waiting to cross the intersection or turn on to Rt 366, either from Freese Rd or Mt. Pleasant Road. The conditions are particularly dangerous for cars attempting to turn left from Freese Road on to Rt 366. If even one car at the head of the long line of cars wants to turn left or cross the intersection, the trailing cars can endure a lengthy wait. This backup occurs on a slope rising to Rt 366. In winter or in wet weather, squealing tires can frequently be heard as cars attempt to gain traction again and again while advancing slowly up the hill until their turn to navigate the intersection.

These dangerous conditions would be made far worse with the introduction of a large number of additional cars (close to 100 based on the requested number of parking spaces) from this development. In addition, there will be cars that will need to turn left out of the development's driveway to squeeze into this line of waiting cars.

Perhaps even more dangerous is the short distance on a downhill slant that cars turning onto Freese Road from Rt 366 would have to stop in snowy or wet conditions if a car is coming out of this development's driveway. The presence of a car attempting to exit the driveway will be partially visually blocked by a portion of the fill-pile underlying the cottages development at 5 Freese Road.

There is a rumor of a traffic light to be installed eventually at the intersection of Freese Road and Rt 366, but no definitive plan has been specified that makes this a certainty or even indicates whether it would happen within a reasonable time. Further, many of the problems cited above, such as the hill or poor visibility when exiting the development's driveway, would not necessarily disappear with installation of a traffic light.

3. Pollution of Fall Creek is possible from parking lot contaminants quickly percolating through the site's 20' of loose fill.

This project will be the first in Dryden to my knowledge where a development is being built on a large 20' to 30' mound of loosely compacted debris fill, discarded concrete, and rocks. Unlike in most developments where the major concern is preventing excess water from running off on to other properties, in this situation water will percolate down through the fill at very high rates from the bioretention areas and stormwater holding pond.

Rather than promoting the slow percolation and filtration of water to the groundwater, these bioretention areas will in fact provide a fast-flowing conduit for water and the water's pollutant contents gathered from the parking lot and roofs. Excessive rates of percolation will be good for the development's goal of getting rid of water, but could be bad for the quality of local waters. The contaminants will move quickly to the level of land on the adjacent property, where the water table is at the surface and currently ponds extensively after rainfalls.

While there is concern of contamination of the vernal pools on the adjacent property that currently support an array of reproducing amphibians, of greater concern is that pollutants being carried along in this groundwater will then quickly enter into Fall Creek only 100' away. The

intake for the drinking water used on the Cornell campus is only 1 mile downstream. The bio-remediation plan for this project actually increases the risk of delivery of parking lot pollutants to Fall Creek because of the loosely packed fill pile beneath. Of further concern are the very steep areas on all sides of the fill pile, where water cannot be diverted to retention in any meaningful way.

4. The size of buildings is incompatible with adjacent residences and dramatically changes community character.

The buildings being proposed are up to 40' tall, for the three-story one. In addition, these are being built on a fill pile 20' above the height of land that existed until 8 years ago (and 30' above in the case of the two-story cottages at 5 Freese Road). In addition, the three-story building is 33' x 176' long, creating a large visual block in the midst of one- and two-story nearby residences. Even the roadside building is well over 100' long.

The developers argued that the two-story cottages perched on the 30' fill pile level with Rt 366 will dominate the visual scape so much that the three-story building will not seem out of place. This concept may be true visually from Rt 366, but for the neighbors on Freese Road and for the traveling public, either driving from the north on Freese Road or walking on the portion of the Cayuga Trail adjacent to the development, the 40' three-story building sitting on top of a 20' fill pile will look towering some 60' high above the ground level at the nearby Freese Road bridge.

In summary, I hope these concerns will be taken seriously and addressed and will lead to the Board's requirement that the proposed Maifly development be greatly reduced to diminish its negative environmental, safety, and aesthetic impacts on the Varna community.

In a separate letter sent later, I will list modifications needed in the Full Environmental Assessment Form before it is ready to be considered to evaluate the project's potential environmental impact.

Sincerely,

David Weinstein