

TOWN OF DRYDEN
PLANNING BOARD MEETING
September 24, 2020

Present: John Kiefer, Chair, Craig Anderson, Tony Salerno, Daniel Bussmann,
Joe Wilson, David Weinstein, Alice Green (alternate), Simon St Laurent (alternate)

Absent: Tom Hatfield

Staff: Ray Burger, Planning Director

Liaisons: Daniel Lamb & Loren Sparling (Town Board)

Chair John Kiefer opened the meeting at 6:00 p.m. Alice Green was given voting privileges in the absence of Tom Hatfield. Because David Weinstein has recused himself in the matter of the Maifly project at 5 and 9 Freese Road, Simon St Laurent was given voting privileges for that.

Planning Board Process Improvement

J Kiefer thanked those who encouraged him to stay on with the Planning Board and focus on developing a better working relationship between the Town Board and the Planning Board. In the letter from J Kiefer and Town Supervisor Jason Leifer they talked about an ongoing organizational development initiative.

D Lamb said the Town Board was encouraged by J Kiefer's willingness to stay on with the Planning Board. The Town Board embraced the protocols in the letter and endorsed them unanimously. It is good to be able to go back and look at that and remind ourselves that we have roles here and we want to respect those roles. He expects that not everyone will agree all the time, and we don't want to be always be aligned. We want to have good productive discussion, disagreements if necessary, but always remain respectful. He thanked John Kiefer for being willing to stay on.

J Kiefer asked board members to say whether they were interested in process improvement and if so, is there a particular topic they think should be covered. All members indicated they were in favor of process improvement and working on it at each meeting. Suggested topics included:

- Spelling out what we mean by the process improvements to be made.
- What form the communication between the boards would take.
- Thinking about how we interpret open meetings law so there is a common understanding of what is required and what is not.
- Report from the Town Board liaison on what that board is doing.
- How to address complex problems that take time and could benefit from an exchange of views. Maybe committee work is a good idea.
- How these interactions between the boards work with the public.
- How and why these interactions should occur and the public role.

Public Comment (for items not on the agenda)

None.

Approval of Minutes

A correction was made on page 6 of the August 27, 2020 minutes and on motion by D Weinstein, seconded by C Anderson, the minutes were unanimously approved as amended.

Comp Plan Update

The inventory and analysis is out for review by the Planning Board members and comments are due to Sam by the end of the month in whatever form is convenient. Next meeting of the group is October 14.

Bluebird Subdivision Update

This is regarding the house at 438 Lake Road that was built partially in the conservation easement. It was a requirement of the property owner placed on the people who bought the properties. There has been some action and a Release of Easement and Restriction has been drafted and the property owners in the subdivision have agreed to it. The Town Board is preparing to agree as well. That will allow the homeowner to get a mortgage.

R Burger said the owners have approached the board to be a party to release. As mitigation for this encroaching structure the owners have agreed to exchange some other restrictions on their property for the encroachment. The side yard setback has been increased on each side. The area to be preserved there with no structures is larger than the encroachment. This is all to preserve the viewshed from Lake Road. The other mitigating measure is to maintain the shrubs and fruit trees screening the front of the house. The idea is they are still preserving the public value in the viewshed from Lake Road. It essentially swaps about 4800 square feet for the 2000 square foot encroachment. This will be an action item for the Town Board next month and they wanted to get some feedback from the Planning Board if there was any input on the conditions of this agreement. D Weinstein said he doesn't want this to set a precedent.

SKETCH PLAN REVIEW**ARTIST STUDIO****184 VIRGIL ROAD**

The board has received the application materials and they are posted on the town's website. J Kiefer previously sent an email to the board stating that this property is in a rural residential zone, in which an artist studio is a permitted use. It is a Type II action and does not exceed any of the 617.4 thresholds, so SEQR is not required. There are no exterior modifications to the property. It comes to the Planning Board because it is a change of use. County 239 review states no negative inter-community or county-wide impacts. J Kiefer moved that the board waive formal site plan review, seconded by A Green and discussion ensued.

Applicant Branwell McClory said he makes functional art, high-end chef knives. He makes some recreations of some Viking pieces (axes, short swords for collectors) and he makes steel for other knife makers. He generally operates 9 a.m. to 5 p.m. Adjacent neighbors within 500' have been notified.

Neighbor Susan Chapman, 191 Virgil Road, said she was concerned about noise from the pounding. Applicant said the items he makes are relatively small and the sound of making them doesn't travel very well. The building will be insulated and there is a house between that building and the road. He doesn't expect there will be any noise issues. It is not a deep pounding noise that travels, more like what you would expect from a farrier. There is a large door on the building that faces downhill toward Dryden. It could be open or closed, but if noise were an issue it would be closed. It is not his intent to make noise and upset people. A Green said she listened to the sample of noise and she wouldn't be bothered by it if she were a neighbor.

B McClory said the types of work he would be doing could vary day to day from metal work to wood work to leather work. The parts that do make noise are not every day.

D Sprout said he believed that the town's sound standards could be applied to an artist studio. If there was a complaint, they could measure the sound level and then require a door to be closed. The town does not have a noise ordinance, but there are sound standards for commercial operations.

Applicant confirmed that most of his business is online sales, with one or two customers expected on site a month. Most items are delivered to the post office by him personally for shipping. There is very little waste to dispose of and that can be recycled.

RESOLUTION #10 (2020) – APPROVE SKETCH PLAN – 184 VIRGIL ROAD

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

RESOLVED, that the Town of Dryden Planning Board hereby approves the sketch plan as presented for an artist studio at 184 Virgil Road and waives further site plan review subject to:

- 1) The Standard Conditions of Approval (8-14-2008);
- 2) Hours of operation shall be limited in that any noise that you can hear off site shall be limited to normal business hours;
- 3) Should there be any noise complaints resulting from the applicant's business, the town shall enforce its sound standards for commercial and industrial business.

2nd J Kiefer – all in favor

2150 DRYDEN ROAD SITE PLAN AMENDMENT

J Kiefer explained this is a modification to the site plan to show the NYSEG interconnect. Applicant has submitted materials and per the solar law, the Planning Board reviews this and gives recommendations to the Town Board as they consider the applicant's request for site plan modification on the interconnect.

R Burger displayed the interconnect as it was approved by the Town Board in 2017 and the proposed amendment. In 2017 it showed overhead wires over Virgil Creek and then five points of

common coupling at the roadside. There were no details of what the interconnect would look like. The details now as worked out between NYSEG and True Green Capital (current owners) was displayed. Instead of a single line over the creek, it is three lines travelling across the creek and the interconnect happens in a matrix of 18 poles then a single point of connection on George Road.

D Weinstein said it seemed pretty straightforward in 2017 that the lines would be buried except for crossing the creek.

C Anderson said this doesn't comply with Ag and Markets Law. J Wilson said the town attorney's input should be sought regarding this because it gives different levels of protection to different types of soil.

Access to the field for farm equipment was discussed and whether the driveway width was adequate.

Noah Siegel, Project Manager for True Green, owner/operators of the 2150 site, said they acquired the project from the developer, Distributed Sun. Alitas Garitas, operating partner who oversees the engineering and construction across the states, and Gerry Gilbert, Superintendent, were also present.

N Siegel said they did add some detail to the plan and did some onsite measurements for farm equipment. They took that into account and reviewed it with the property owner, Mr Pinney. The current access with the current guard rails along the road is just over 17' and the path once on the site is 20' as shown. To get around the grid of poles, you could go north (31' wide) or to the south of the grid (over 20'). The site is unchanged with respect to previous accessibility. The area within the grid of poles would not be farmed. The pervious road within the grid would be maintained for access.

C Anderson said the recommendation of Ag & Markets is to not put anything on ag land or put it underground. He is referring to Ag & Markets regulations that went into effect in 2018. Large tractors with equipment in tow will have difficulty navigating the site.

B Schickel asked whether the connection was intentionally not detailed on the original plan. It seems to be a slight of hand. People in Ellis Hollow were very unhappy with what happened there.

J Wilson said it is preferable that it is underground, and it is his recollection that that was what was represented. He understands that NYSEG simply doesn't have the underground equipment in their normal inventory and so don't wish to do it. He thinks the Town Board should push NYSEG harder to find the equipment to allow an underground connection as was presented. In looking at Ag & Markets information shared, there are multiple levels of soil with different levels of protection under the Ag & Markets Law and thinks the quality of the soil in question here is a lower quality and entitled to less protection. He would like the town attorney to weigh in on this.

C Anderson said Ag & Markets would like it underground or put in a place that will not hamper production. The current location would do that. Suggestions were made to move the location of the interconnect to a different place in the field was suggested. The access width at the roadside between the guard rail would still be restrictive for large farming equipment at 17'.

There were comments that the aesthetics of the interconnect were undesirable, and the developer should be asked to justify why they can't move this underground.

Noah Siegel said this is the standard for these systems for several reasons. At the state level the Public Service Commission sets the maximum systems size for a solar project. When the project was approved the maximum system size was two megawatts. The PSC now allows for combining adjacent systems and this year four of the systems were combined to two, making for three connections instead of five.

Ilias Garidis said from a potential of 60 poles, they now have eighteen, with only one pole at the road. The poles in the interconnect as planned are 25-30 feet below road level. With respect to the underground, it can't be changed for this region. NYSEG doesn't do it that way. (There is an email from NYSEG on the town's website regarding that.)

N Siegel encouraged folks to look at the visual impact statement. NYSEG agreed to come on private property to tap the three poles into a single pole and connect to the grid with just a single line. They intuitively positioned this at a lower elevation with the natural screening rather than having them along the street.

There were comments that underground was still favorable and that 18 poles is not a minimal visual impact. Depending on where the poles are viewed from, they are more visible. Pushing the interconnection back further from the road would be preferable to where it is now, and it wouldn't make the field so inaccessible for farming.

Is the property owner aware of the proposed location of the interconnect? Yes, and he signed the paperwork for the application.

Craig Schutt attended a meeting at the site and reported that when asked about putting the lines underground, the representative of the company said it would cost more and the company doesn't want to do that. He then asked about boring under the creek and the representative said that was also possible, but again it would be very costly, and the company didn't want to spend the money. It's all dollars and cents. With respect to access to the field, he believes a farmer could ask the town to widen the entry at the guard rails.

I Garidis reiterated that NYSEG does not support putting the lines underground.

A Green said there seems to be a desire to push NYSEG about the underground lines and asked True Green representatives what that would do to their project. I Garidis said they have discussed it with NYSEG, and it is not possible. It would not make a difference for them if they know from the beginning how it goes. The utility has their operation and maintenance procedures and in order for them to change they cannot do it for only one site because they would then have two different kinds of infrastructure to service. It has been discussed. At some point NYSEG may do it.

D Weinstein said he'd like True Green to push back on NYSEG about this. When people in the community were pushing for solar farms, one of the things they pushed was that other than panels there wouldn't be a lot of visual impact. Once those poles went up on Dodge Road everyone felt betrayed. If we want to open the door to more solar farms around here, there is going to be a lot of resistance if this keeps happening. That isn't a good business model.

C Anderson asked if there was another spot they could put the interconnect and was told no.

J Kiefer reviewed points made in the discussion and recommendations to the Town Board. NYSEG has embarrassed the town on Dodge Road. The NYSEG standards are not acceptable. The recommendation to the Town Board is to push back on the concept of overhead distribution based on what was said all during the site plan review process for the original project. Should the project end up with an overhead connection, there are things to be considered: the location of the array of poles should not interfering with farming the field (moved to the north), trees and vegetation at George Road help to screen the array and should be preserved and protected by the developer, the crossing at Virgil Creek should be reduced from 100' in width and a clear plan provided.

Additionally, the Town Board should ask the Ag Advisory Committee and the Conservation Board to review the plan. The Planning Board would like another opportunity to review the final site plan.

RESOLUTION #10 – RECOMMENDATIONS TO TOWN BOARD REGARDING THE PROPOSED SITE PLAN AMENDMENT FOR 2150 DRYDEN ROAD SOLAR INTERCONNECTION AT GEORGE ROAD

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

RESOLVED, that the Town of Dryden Planning hereby makes the following recommendations to the Town Board regarding the proposed site plan amendment for 2150 Dryden Road Solar interconnection at George Road:

1. That the Town Board push back on the developer and require the NYSEG interconnect be accomplished with pad mounted equipment and underground lines. There are two lines of reasoning. First is the belief that the community was told that the only overhead lines would be the short run across Virgil Creek. Second is based on the longer-term view that NYSEG needs to offer an underground/low profile interconnect to help large scale solar stay on the positive side of community opinion. The overhead interconnection is an unnecessary blemish on the landscape.

In the event the interconnect must be overhead:

2. The trees and shrubs along the west side of George Road provide reasonably good visual screening to block the view of the NYSEG poles. The Town Board should take steps to ensure these trees and shrubs are not disturbed by NYSEG or the developer during the installation of the interconnect, and that they are maintained for the life of the project.
3. The Town Board should consider requiring that the 100 foot +/- wide corridor across Virgil Creek be reduced in width. For example, the corridor can be reduced to a single pole line by using insulated medium voltage cable for the three circuits, similar to what is installed underground elsewhere on the site. Utilities frequently use insulated cable for overhead distribution when tight clearances are required.
4. The Town Board should require the developer to provide dimensioned construction documents showing locations and details of all interconnection equipment (including NYSEG equipment)

and associated site clearings and corridors. The developer should provide site clearing, erosion control/drainage, and restoration/maintenance plans to ensure protection of the environmentally sensitive areas near Virgil Creek.

5. The Town Board should take steps to ensure the site access drive to the interconnect area does not block access to the field for farm equipment and that as much of the field is preserved for agricultural use as is possible. One approach would be to move the interconnect to the northeast side of the field to be completely clear from the entrance to the site.
 6. The Town Board should seek guidance from the Agricultural Advisory Committee and Conservation Committee including providing them access to the site to review the proposed work.
 7. The Planning Board would like an opportunity to review the final Site Plan Review submission.
- 2nd D Weinstein – all in favor

Joe Osmeloski said he agrees with only #1 in the resolution.

PUBLIC HEARING
SITE PLAN REVIEW
MAIFLY DEVELOPMENT AT 5 & 9 FREESE ROAD

J Kiefer opened the public hearing at 7:30 p.m. He said after the Planning Board had put forth a proposal to reduce the density in the existing zoning, the Town Board made a statement that the existing density would remain. The role of the Planning Board is to enforce state and local laws. The Town Board has weighed in regarding density and use and they make the laws. The public should understand what the Planning Board's role is in the process.

David Weinstein, 51 Freese Road, speaking as a resident and not as a Planning Board member, read the attached statement.

Deborah Cipolla-Dennis said she has been following this project. Tompkins County really needs housing and this project is a lot, but is well within the zoning and is well within the laws of Dryden. Varna really wants to have mixed-use and the fact is that businesses are not going to come to Varna until there is a higher population there. It's just not sustainable. We've seen businesses come into that area and not be able to make it. In order for those businesses to be successful, there has to be a higher population first. She supports this project. Some of the concerns that David brings up are valid concerns, but they are not concerns necessarily of the Planning Board. They are concerns of the Code Enforcement Officers and the engineers to make sure that the soil is stable, to make sure that the SWPPP is done correctly, and to make sure that Fall Creek is protected. The Planning Board's role in this right now is site plan review and to make sure that the site plan is following the laws of the town. She has reviewed the documents and it is obvious to her that it does fall within the laws and the zoning of the town. She'd like to see the project move forward.

Jim Skaley has forwarded the bulk of his comments to Planning Board members (attached). One of the things he wants in the record is that in reviewing the plans, discussions and letters in the file, it seems to him that we have a problem with how to deal with the LEED review process. There are a

couple of other green building type programs that might be more appropriate based on discussions with INHS. He will share those with board members as a modification or addition to the LEED put in place a few years ago.

It isn't clear in the documents submitted what is intended with the sewer. The Highway Superintendent prefers to have the sewer run down to the pump station and then back up, but that isn't documented. There may be a problem with regard to Maifly or a future owner selling off the single-family units because they currently flow into a private system. Individual systems at this point should be going directly into a sewer main as he understands it. Those things need to be clarified before the board takes any action.

He is also concerned about the recreation space. He believes they are short two or three credits of the 40 that they claim. With respect to traffic control issues, we don't yet have confirmation on what exactly is going to happen to the bridge.

Buzz Dolph, 26 Quarry Road, said he is one of the two current owners of the property and it is under contract to be sold, so he speaks as an owner but also as a lifetime resident of Dryden. He is excited that Maifly chose to keep the subdivision on the top of the hill and to put single-family houses there. That is in keeping with what the Planning Board wanted when he approached them, and it is cool that there will be single-family houses on Main Street in Varna. The whole project is in the best interests of Dryden. It is certainly in the best interests of the county because of the housing crisis. He believes the main thing that drives housing costs down is more houses, and there aren't enough houses right now and that is one of the main reasons we are in the midst of a housing crisis, affordable or not. From an environmental standpoint, Varna is the place to build and Varna is the place to have density. It is two miles from the major place of employment in the county. There is water, sewer, public transportation, access to world-class natural areas, and walking areas. There is really no reason he can see why holding back on density is the thing to do. Maifly has a good plan. It increases the tax base. It moves Varna off of square one. Really, very little has happened in Varna in the last ten years. Maifly is on top of it architecturally and it is a nice-looking plan. He disagrees with D Weinstein's statement of elevations. The professionals that are doing that work know what they are doing. They are not misrepresenting anything. They are working from current surveys and plugging that into a computer program that produces correct modeling. They are not trying to pull the wool over anybody's eyes. He hopes that the board will ok this site plan review.

Bruno Schickel said he wants to reinforce the reality that Dryden needs to develop its tax base. Varna needs people. Fundamentally, it needs more people living there. If you have more people living there, you will develop more of a village sense and be able to attract some services and business that will come in. But you must have the people first. Ithaca has put an emphasis on building in close, more units of housing and that has dramatically changed the Ithaca Commons and the whole sort of center city in Ithaca. It's all because of people. If Varna can increase its population, it will become a thriving, wonderful community. But right now, without this, it is sort of an anemic situation. He encouraged the board to approve the project. He thinks it is a good project and is needed. There is demand for it and he thinks it will really help Varna and help Dryden. It will work to alleviate some of the crush on housing. He owns Boiceville Cottages in Brooktondale and right now they are 100% rented. The demand for housing is very, very strong and he is totally supportive of what Buzz and Maifly are trying to do here.

Jim Flanders, 490 Snyder Hill Road, said he has been looking at the dirt pile on the corner of Freese Road for a long, long time. The idea that that could be developed and have houses on it with landscaping would be such a shot in the arm for Varna as long as it is done with some of the concerns addressed and in a proper manner. It would be a fabulous addition to the village. So overall, thinking of the tax base and all and how it will change the face in a good way of Varna is a real plus.

B Schickel said his is very involved in the Dryden Rail Trail and it runs right through Varna. The whole goal of the trail from the very beginning has been to be an alternative transportation system, so that you can bike into Ithaca, you can bike to work. It runs right through the heart of Varna and it is imperative that housing be encouraged, in his view, to be along that rail trail. It's just another reason why it makes so much sense to create housing in the Varna area, and not only there, but in the area where the Rail Trail is running.

D Weinstein said no one that has spoken for this development lives in Varna and are not accustomed to what the issues are. The community is anything but anemic.

Varna Fire Department said the intersection at Route 366 needs a traffic light, and will need a light whether the project goes forward or not. It is very crowded there and the house on the right is in the roadway. It is partly sitting in NYS right-of-way. If it ever gets anything done to it, it will have to come down. That is a problem that has always been there. When you did the survey about the bridge, you noticed how many cars come across that bridge. It needs a light there. He hopes the Planning Board looks at the infrastructure in Varna. The sewer system, the water system, the lights, the traffic, you need to look at everything.

J Kiefer closed the public hearing at 7:55 p.m. He said he would like to hear from the traffic engineer and discuss the recreation areas now identified on the site plan.

Adam Fishel, Marathon Engineering, Matt Durbin of Maifly, developer of the project, David Kruse of SRF & Associates, Gretchen Brevard of GMB Consulting, and Noah Demarest of Stream Collaborative were present.

A Fishel said since the last meeting they submitted SRF's letter report to DOT as well as some of their initial plans. R Burger, as part of the SEQR review, sent the full set of plans to DOT to solicit their comment. What they got back were typical engineering comments and more importantly DOT's confirmation that they agree with SRF's recommendations and conclusions in their letter report stating that no full traffic impact study would be required as part of this development and this development should not be required to construct improvements for the Dryden Road/Freese Road intersection.

David Kruse of SRF said it is important that they have NYS DOT's response letter in hand. They have known about this intersection for quite some time. He acknowledged what the Varna plan had envisioned for the intersection. SRF had looked at that intersection many years ago when the plan was developed. The intersection has been on the state's radar for quite some time. NYS DOT will be taking a hard look at that intersection because they understand that something has to be done now, sooner rather than later. SRF's review letter took into account a three-year crash history.

D Kruse said they use Institute of Traffic Engineers (ITE) as the standard. Trip generation is always a concern and using that methodology they looked at single-family homes and apartments and that methodology determined a projected number of vehicle trips entering and exiting the site for both

a.m. and p.m. Out of over 45 housing units, you are looking at 32 trips in the morning and 37 in the evening. The number of parking spaces on a site doesn't always equate to the number of vehicle trips in a peak hour. Over the course of a day you may experience high levels of average daily traffic, but in your peak hours that is not always the case. People come and go at different times of the day; people have different work schedules and school hours. You aren't always going to see the number of units generating the exact number of vehicle trips during that hour.

Data collected in 2018 at the intersection was used for the traffic operations analysis. The data was adjusted based on projects that were approved and under construction. The numbers were adjusted to determine a preliminary operational analysis at the intersection. They determined that there are moderate delays. There is no change in level of service, but there is a moderate increase in approach delays, notably the Freese Road and Mt Pleasant approaches. Level of service is the condition or a grade that you give to an intersection on how well it operates in terms of seconds of delay per vehicle. It is a grading system from A to F and there are different thresholds between levels of service. They are also different between signalized and unsignalized intersections. For example, in this intersection under background conditions (without the project in place) there are levels of service E during the PM and a poor score for the Mt Pleasant Road approach. There are moderate increases in delays, but in terms of this project and the number of vehicle trips that are generated, the impacts aren't commensurate to the types of improvements that may be desired for this intersection. They did look at preliminary traffic signal, and the volume warrants that would typically be associated and crash warrants, the types of crashes that could be corrected by signalization were not apparent over the 12-month period that New York State uses as a guideline. However, that doesn't mean there aren't other solutions or improvements that might be feasible for this intersection. One that they noted was an overhead flasher (that was also mentioned in the Varna plan). While not aesthetically pleasing for the intersection, it does call attention to the intersection in terms of approaches given the sight lines there.

SRF determined, and it was confirmed by NYS DOT, that there are no significant adverse impacts resulting from this project at the Freese Road/Mt Pleasant/Route 366 intersection.

It is possible under SEQR, depending on how the board views the impacts of the project to require a formal traffic impact study. What is the difference between what has been submitted in the letter and a formal traffic impact study? The levels of analysis are trip generation letters, traffic assessments and a full-scale traffic impact study. This letter report is sort of a hybrid approach. They did look at operational analysis at the intersection using data that they had in-house. Though it is not a full-scale traffic impact study, that would perhaps look at something more scoped out between agencies, the number of units and the number of trips generated by this project would not warrant a full-scale traffic impact study. The thresholds have not been met to prepare one. With a project of this scale trip generation letters are sufficient. They did have information to give a little more context and substance to this for the benefit of all reviewing agencies.

It was mentioned other possible solutions and a flasher. Are there solutions that the developer could contribute to or do that would calm that intersection? Anyone who uses that intersection with regularity know that it is dangerous and frightening. M Durbin said the traffic consultant is here to answer questions on how his report was prepared.

How does the Planning Board reconcile the submitted report with comments from frequent users and the local fire department that the intersection is unsafe? D Kruse said they were objective as possible. They understand there are existing issues and it is a challenging intersection. He is familiar

with it. They are community planners as well as traffic engineers and they also look at ideas and visions that have been established previously as to how you guide yourself moving forward. One of those things established for that corridor is a well-defined, traffic calmed corridor through solutions that take time and money and right-of-way. This project, although there are moderate impacts, the notion that this can be part of a larger realization that the hamlet core, this area, is part of an area that desires to be developed. When you do that it will respond in a way that you will have different needs. The State in their statement said that they will take a hard look at this intersection and study it further indicates that they understand the importance of this intersection and that it likely falls under their dime. They will take the lead. They have called out in the past that New York State DOT needs to monitor the intersection and review it because there are existing challenges that one development is not going to be able to overcome. There is nothing that would raise a red flag to the state that this project is required to provide solutions.

The replacement plan for the Freese Road bridge is supposed to have traffic lights on both ends. Having those lights at the bridge and whatever goes on at the intersection seems to be an added complication. Were the extra lights considered? It was not flagged in the response letter from the DOT. D Kruse cannot comment on the actual impacts from that, but it would appear it may create a traffic calming effect.

A Fishel said like with any driveway it may cause a delay in cars leaving the project site.

Is impact on pedestrian traffic considered in the traffic studies, such as pedestrians crossing at the intersection? It can be but was not in this study with limited pedestrian destinations.

A Fishel said a pedestrian crosswalk at the Freese Road/366 intersection is in the DOT right of way and will need to be reviewed and permitted by them. To date they have not asked for anything. Applicant will need to get more detailed plans to them.

S St Laurent said there is already pedestrian traffic there because of the bus stop and if this project goes in there is likely to be more pedestrian crossings for bus stops. He said he is concerned with DOT's response that they know there are problems with the intersection and perhaps they'll fix them some day. Considering DOT's involvement in the Freese Road Bridge and the state's challenging financial situation, this is not an encouraging position for those who drive through there regularly. He doesn't think the town should count on the state to fix the impacts and the board should consider that.

A Green pointed out the Rail Trail is right up the hill from the site and that will be a definite source of pedestrian and bicycle traffic crossing Route 366 from that intersection.

After further discussion it was suggested that the Town Board or Planning Board contact NYS DOT about ways to make the crossing safer for pedestrians.

Matt Durbin reviewed the five recreation areas that have now been provided on site. They took away parking spots from two of the lower buildings to create a community lawn. They moved a couple of buildings to create a pocket park between them. On the upper level a nature area has been created along the Cornell University property line. The bio-retention pond there will not have standing water and with the landscaping and tree line it will be a nice nature area. There is a pocket park or a playset, park bench or something else. The turn inlets for fire access and turnaround will be stamped concrete or stained to delineate it from the traffic isle and can be used for sidewalk chalk, bike riding or other

activities. There is a nice landscaped area along the communal path on the Freese Road side of the cottage development. There are two other small recreation areas near the community building. The cottages each have their own area of outdoor space. A Fishel noted the bio-retention areas are not counted in any of the recreational space.

M Durbin said the Varna Commons example in the Varna plan was used as a basis for the rational in development of this project plan. The emphasis as stated in the plan was to create a community with a community center, open space, and where integrated footpaths are a focal point, and a development that is a mix between cottage homes and townhomes. They have tried to propose such a development. They have a community center and have carved out many different open space/green space corridors throughout the community. There are integrated footpaths that connect all the cottages as well as down to the lower portion. The Cayuga Trail can be accessed nearby. They have not highlighted the Varna Trail. Although they want folks to get over there, they felt it was a little far to include that as part of their development. They really tried to develop a project that the town was hoping to achieve in this development corridor. He described the expected activities at each of the recreation areas.

Are the number of parking spaces sufficient? Parking spaces will be assigned for the cottages.

Will dimensions of the recreation space be provided? Yes.

Is there enough slope in the nature area for sledding? Yes, particularly for young children.

Page 56 of the Comprehensive Plan has a calculation of expected space for multi-unit housing. Those are guidelines and things to think about. They are trying to achieve that.

The parking at Ivy Ridge was pretty tight. How has that worked out? Not great, it's a little under-parked. They've had some challenges with the fire department access and how to manage tenant's expectations. They've had to educate tenants on how to conduct themselves appropriately.

Under Town Law §274 the town could ask the developer for a deposit into a trust fund for acquiring park land or supporting existing parkland as a way might still be an insufficient amount of park and recreation space. J Wilson has compared the space provided in this project to the recommendations in the Comp Plan. Board members want to review the dimensions of the rec spaces planned.

The next steps for the Planning Board are SEQR Parts 2 and 3, and then site plan review. Prior to that the board would like:

To see an update on the green density bonus and points;
A discussion of the consistency of the plan with community character and the Comp Plan;
Further discussion on traffic (J Kiefer will follow up with the Town Supervisor);
What would happen if any of the single-family homes were sold and effect of the HOA?

A Fishel reported that he had a meeting with Bolton Point, Dondi Harner and Town DPW to discuss the utilities. There are some things that need to be redefined on the plans and he believes they are going in the right direction regardless of whether lots are sold or retained on the upper project. They do want to foster homeownership in the future when it does become more viable.

There being no further business, the meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Bambi L. Avery

David Weinstein
51 Freese Road
Ithaca, NY 14850

September 24, 2020

Dear Town of Dryden Planning Board members,

Tonight's hearing on the Freese Road Maifly development site plan review may be the last time I have a chance to speak on this issue, so let me sum up my concerns:

1. This project is an attempt to cram too many units into too small a space, giving little open space for outdoor activities, particularly for children, despite the minimal recent additions to their plan.
2. It does nothing to help the Varna Plan, and, in fact, works against the goals of that plan.
3. It does nothing to create affordable housing in Varna, and in fact, will push Varna further away from its current economically diverse housing assortment to being a higher-end apartment complex assemblage.
4. Dense developments like this one built on 20 to 30' of miscellaneous rubble are destined to produce structurally problematic housing and negative environmental consequences for the neighborhood and Fall Creek, only 100' away.
5. Despite the claims by traffic engineers reached by cherry-picking of statistics, anyone who knows this intersection knows that adding a whole bunch of cars to the morning rush hour and needing to turn left in the evening rush hour knows we are looking at exacerbating a current traffic problem and an accident waiting to happen.
6. Where this developer's statements have been able to be crosschecked, they haven't produced a whole lot of trust that what they say is an accurate representation of what will be. In the latest example, they claimed last month, as reported in the minutes, that "the mound of earth currently on the site is taller than the three-story building", and consequently the visual impact of that building will be minimal.

However, their most recent schematics show that the current height of the fill pile is about 18 feet above what will become the ground level for the development. A 33' building (the reported height of the 3-story structure) is not smaller in height than an 18' fill pile; it is in fact well over 50% higher than the current fill pile.

This eyesore will haunt Varna for years to come as a monument to poor planning based on maximizing return on investment instead of maximizing what is best for the community.

7. A much more attractive development with half the density and much more open space could have been proposed for 9 Freese Road by the developers and insisted upon by the Planning Board. This could have been a development that fit in nicely as a transition that maintained the rural-small village character of Varna, and one that added commercial features for which the

mixed-use zone was intended.

Sincerely,

David Weinstein

To Dryden Planning Board
Fr: James Skaley, 940 Dryden Rd

Re: Maifly Development on 5 & 9 Freese Rd.

In reviewing the documents and proposed site plan I find several issues that have yet to be resolved prior to this planning board declaring the project plans complete and ready for approval.

Sewer/Water Connections:

It has been brought to my attention that the Town still does not have clarity from Maifly as to how the sewer will be routed to the pump station near the bridge. In addition, since the 15 units above are part of a subdivision, each of these units in time could be sold individually. Currently, the developer is the single owner of what was a home-owners association. Should there be a change of status of ownership by Maifly and or/ the desire to sell one or more of the single family units, the ownership of each connection for these units becomes problematic. This needs to be clarified from a legal perspective and in addition Maifly should be required to give the Town a letter indicating that they will pay for any additional sewer/water mains that lead to the pump station or for completion of a water main loop as has been explained to me by TG Miller. From TG Miller's perspective—there remains outstanding concerns to be addressed:

From: Donald Harner

Sent: Wednesday, June 3, 2020 2:31 PM

To: rburger@dryden.ny.us; David Sprout (david@dryden.ny.us) <david@dryden.ny.us>

Cc: Rick Young (ryoung@dryden.ny.us) <ryoung@dryden.ny.us>; David Herrick <dah@tgmillerpc.com>

Subject: 5 and 9 Freese Rd. comments

Hello,

I have briefly reviewed the attached plans for Maifly Development and have provide my initial comments on the plans. I will review in greater detail upon submission of a full SWPPP and construction plans.

Has there been any further clarification on the HOA? How will stormwater be maintained across multiple parcels? It appears the applicant is proposing switching from a one private water/sewer lateral connection from each parcel to a combined private connection servicing more than one parcel. Are they looking to consolidate multiple parcels?

I am available to meet or zoom call to further review and discuss any comments.

Thanks,

Dondi

Donald M. Harner, P.E., LEED A.P., CPESC

Project Manager

Recreation Space: The developer indicates that he will be marketing in part to families; however, the allocated recreation spaces are really only picnic areas with a BBQ and tables. There are no spaces which show playground equipment on either the lower or upper sites—in total the spaces for both the single family units above and the Townhouse/apartments located below is not adequate for the 100+bedrooms. The National Recreation Association recommends 4 ac/1000 population—therefore for this development there should be minimally an acre set aside along with a mix of play equipment along with the picnic areas for adults.

Currently, only 10000 sq ft of designated recreational spaces are indicated more than half of that is concrete leaving only 4100 sq ft of green recreational spaces.

Parking has been reduced from 100 to 91 spaces to add more recreation spaces; yet this is still in excess of what the Town requires—therefore, a further reduction in parking to provide additional green spaces and appropriate play equipment should be required.

Given the overall design for this site I have to take it with a heavy dose of scepticism that this would be an attractive space for most families—that combined with the proposed market rate rents, and the excessive parking suggests that this is a project primarily designed for singles.

LEED Neighborhood credits:

In reviewing the LEED credits claimed, I find at least three that are problematic. The 2 points for community outreach/involvement. There has been none based on this site plan to my knowledge—I would wager that nearly all the residents in the Varna area have no knowledge of what this site will look like nor understand how it integrates with the community. In their letter Maifly acknowledges the minimal services in the area for the renters that they expect meaning that car traffic will be increased as a result. This will have potential traffic impacts. They also claim 1 pt for a brochure that purports to show off the innovation and design to be handed off to every leaseholder—that seems to me to nothing more than a marketing tool to acquire renters. That leaves this project in my view 2-3 credits short of the 40 minimally required by Town law.

Traffic Control issues:

Given the still unconfirmed status for the Freese Rd Bridge replacement and the addition of at least 90 cars with daily commutes to be added along with the 2000 cars averaging for current commute—access from the parking area to Freese Rd may be difficult during commuting hours. Furthermore, assuming the traffic lights are required for the new bridge this could further add congestion at this site. A more thorough traffic study should be required.

With regard to the Varna Community Development Plan for this location, the Plan shows this to be mostly green space below and a mix of residential commercial above. This project affords neither and since the project will be renting at market rates, it adds nothing to provide for the loss of another affordable space(s). Increasingly developers have been looking at Varna as a place for expensive dormitories for Cornell students ignoring the goals and objectives laid out in the Varna Plan. As such, this project as designed does not enhance the overall community.

Given all these concerns, this project is not yet ready final consideration.

Respectfully submitted,

James Skaley
940 Dryden Rd

23 September 2020

To: Ray Burger: Dryden Planning Board, Dryden Town Board

From: Laurie Snyder, 36 Freese Road, Kim Klein, 14 Freese Road, Nat Lakin, 13 Freese Road

Regarding the proposed Maifly development for Freese Road.

We are very concerned by the scope of the Maifly Development. It is too dense for very awkward site.

We are also very concerned about the multi-story apartment buildings proposed to be built on unstable fill. We have watched this fill over the years, and it is a mixture of small aggregate and large clumps of mixed materials. Hard to imagine that this unstable site could be approved for 3 story apartment buildings.

As to the stated goal of increasing "affordable housing" in Tompkins County, this housing development does nothing to achieve this goal. There is no space allocated for children to play. And the rents will be too high for families working in Ithaca.

We are very concerned about the pollution and run off from the paved surfaces of the development that would enter the fragile ecology of Fall Creek.

We are also concerned that Fall Creek would become a partying site for the residents of the apartments as they will have very little recreational space in the development as planned.

The density of the plan and the increased number of parked cars commuting on HWY 366 would be hazardous for the cars, pedestrians, dog walkers, runners and bicyclists who frequent Freese Road.

All things considered, we hope the Dryden Planning Board and the Dryden Town Board can agree to reduce the density of the Maifly plan, or cancel it entirely.

It will also be a sad day to witness the demolition of a very old house on Freese Road.

Planning Board Recommendations for the 2150 Dryden Road Site Plan
Modification Application Consisting of the NYSEG Interconnection

1. The PB recommends that the TB push back on the developer and require the NYSEG interconnect be accomplished with pad mounted equipment and underground lines. There are two lines of reasoning. First is the belief that the community was told that the only overhead lines would be the short run across Virgil Creek. Second is based on the longer term view that NYSEG needs to offer an underground/low profile interconnect to help large scale solar stay on the positive side of community opinion. The overhead interconnection is an unnecessary blemish on the landscape.

In the event the interconnect must be overhead:

2. The trees and shrubs along the west side of George Road provide reasonably good visual screening to block the view of the NYSEG poles. The Town Board should take steps to insure these trees and shrubs are not disturbed by NYSEG or the developer during the installation of the interconnect, and that they are maintained for the life of the project.
3. The Town Board should consider requiring that the 100 foot +/- wide corridor across Virgil Creek be reduced in width. For example, the corridor can be reduced to a single pole line by using insulated medium voltage cable for the three circuits, similar to what is installed underground elsewhere on the site. Utilities frequently use insulated cable for overhead distribution when tight clearances are required.
4. The Town Board should require the developer to provide dimensioned construction documents showing locations and details of all interconnection equipment (including NYSEG equipment) and associated site clearings and corridors. The developer should provide site clearing, erosion control/drainage, and restoration/maintenance plans to ensure protection of the environmentally sensitive areas near Virgil Creek.
5. The Town Board should take steps to insure the site access drive to the interconnect area does not block access to the field for farm equipment and that as much of the field is preserved for agricultural use as is possible. One approach would be to move the interconnect to the northeast side of the field to be completely clear from the entrance to the site.
6. The TB should seek guidance from the Agricultural Advisory Committee and Conservation Committee including providing them access to the site to review the proposed work.
7. The PB would like an opportunity to review the final Site Plan Review submission.

9/24/20

Dryden Planning Board