

TOWN OF DRYDEN  
PLANNING BOARD MEETING  
November 18, 2020  
Via Zoom

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

Absent: Simon St Laurent (alternate)

Staff: Ray Burger, Planning Director

Liaisons: Dan Lamb & Loren Sparling (Town Board), Craig Schutt (Conservation Board)

Chair, John Kiefer opened the meeting at 6:00 p.m.

### Approval of Minutes

After a few minor corrections, approval of the October 22, 2020 minutes was moved by J Wilson, seconded by C Anderson – all in favor.

### Updates

Town Board – Dan Lamb reported that the town is going to take up the Short Term Rental Law and likely vote on it Thursday. There was an article that came out in the Ithaca Times about it, so there's some public awareness about this issue.

The Rail Trail subcommittee has decided on a design approach for the pedestrian bridge that goes across Route 13 for the Rail Trail. It will be on the Town Board agenda for Thursday to select a basic plan for the approach of the Route 13 crossing.

John Kiefer reminded members that at the end of the year Joy will subtract 4 training hours from each member's logged hours and the remainder applies toward next year, meaning, you can carry training hours forward.

NY Stretch Energy Code - NYSERDA has money this year that they've shared with Cornell Cooperative Extension and CCE, in turn, has engaged Tatum Engineering to do presentations to municipalities on the New York Stretch Energy Code. Lou Vogel, president of Tatum, did a presentation to the Climate Smart Communities group last month on the stretch code. The intent is to encourage municipalities to put that into play immediately. According to Lou, it'll be state law within three years. It was suggested that the Town Board hear that presentation because if it's going to get implemented, they would do it.

Comp Plan- A Green and J Wilson are reaching out to area high schools to do a public speaker presentation with the students. It's looking like that will happen on December 3<sup>rd</sup>. This will give the board a chance to hear from young folks and collect information from them and they will also invite

them to the community work shops that will happen a little later in December. The Dryden School Superintendent, Josh Bacigalupi, has been very helpful. They will present the same slide show that was presented in the public speaker series but gear it more towards issues that young people might be interested in. J Wilson has contacts with Ithaca City Schools. He reached out to Ithaca High School, New Roots and Lehman Alternate Community School and heard back from New Roots with some enthusiasm from the sustainability and science teacher there along with the Key Club from Ithaca High. J Kiefer thanked Alice and Joe for putting this together.

J Kiefer reported that he and R Burger had their biweekly meeting with Sam and Jane, mostly to talk about the upcoming workshops. The purpose of the workshops is to talk about goals and strategies regarding the Comp Plan. One of the first things talked about was how we can broaden the venue for outreach and one idea was to build a site on Dryden 2045. There would be 7 venues, one for each of the 7 thematic areas that we are seeking information on. It would contain the slides from the presentation that will be used on the 8<sup>th</sup> and 9<sup>th</sup>. It would give people an opportunity to log onto the site and participate in goals and strategies on transportation. From there you can send to Sam comments on it. Every couple of days he will post those comments so we can build a bulletin board much as we would do if it were in person. Another idea would be to provide hard copies at the town hall of the presentation materials that we plan to use on the 8<sup>th</sup> and 9<sup>th</sup>. This gives everyone the opportunity to participate in this very important discussion. This topic will continue to be discussed in upcoming meetings.

## **Maifly Development 5-9 Freese Road**

J Kiefer shared two proposed resolutions for the Maifly project. The first is for site plan modification approval for 5 Freese Road. The town attorney sent an email with respect to the HOA replacement agreement/plan indicating that he is confident that it protects the town. A Green will vote on this matter in place of D Weinstein who has recused himself.

The 5 Freese Road matter is a modification of a site plan that was previously approved. It has been modified with a club house replacing the original gazebo and a few other adjustments. In reviewing SEQR the projects were combined and looked at holistically.

### **RESOLUTION #13 (2020) – APPROVE SITE PLAN MODIFICATION – 5 FREESE ROAD**

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

RESOLVED, that the site plan modification at 5 Freese Road by Maifly Development is hereby approved subject to the following:

- 1) HOA Replacement Agreement/Plan
  - To insure property owners maintain and allow access to public facilities (e.g. roads, parking, utilities, community building)
  - Subject to review and approval of Town Attorney and Director of Planning;
- 2) SWPPP Approval
  - Subject to review and approval of Town Engineer
- 3) Utility Connection Agreement
  - Subject to review and approval of Town Engineer and Attorney

2<sup>nd</sup> T Hatfield

Aye – Green, Anderson, Bussmann, Wilson, Hatfield, Salerno, Kiefer

There was discussion about LEED certification, points, how the points are achieved, documents and signing off on how the project delivers those points. J Wilson read parts of a communication from the town attorney and expressed his concerns with granting a LEED bonus. J Kiefer said he didn't feel that LEED should be wielded like a club, but rather it should be used to encourage green development and if we don't get any green development the community loses.

Comments during discussion:

- Would be more concerned with the 40-point minimum if there weren't other achievable points.
- 7 units are attributable to the LEED bonus.
- It seems like tricky public policy and is confusing.
- It should be made clearer in the future.
- Making getting the 40 points for LEED is a condition of approval.
- The certificate of occupancy could be withheld for the bonus units until compliance if necessary.
- It's a relative low risk then to award the LEED bonus.
- LEED is a moving target.
- The town could hire an expert to review the points awarded.
- The developer is making a good-faith attempt to meet the requirements in an effective way.
- Developer will provide the Planning Department an updated checklist as the design progresses and construction starts and at completed construction.

#### **RESOLUTION #14 (2020) – 9 FREESE ROAD FINAL SITE PLAN APPROVAL**

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

RESOLVED, that the site plan 9 Freese Road by Maifly Development is hereby approved subject to the following:

- 1) Parking Space Size Per Zoning
  - 9 x 18' spaces are allowed for smaller cars
- 2) SWPPP Approval
  - Subject to review and approval of Town Engineer
- 3) Utility Connection Agreement
  - Subject to review and approval of Town Engineer and Attorney
- 4) Green Development Bonus (2 du/ac townhouses, 4 du/ac apts) is awarded as follows:
  - The following LEED prerequisites are waived because they are not achievable at the project site: Walkable streets, Connected and Open Communities
  - Certification via LEED accredited consultant Compliance Letter defining compliance with 40-point minimum requirement. USGBC certification is waived.
  - Compliance Letter is subject to review and approval of Director of Planning to issuance of Certificate of Occupancy.
- 5) Standard Conditions of Approval as amended August 14, 2008.

2<sup>nd</sup> T Hatfield

Aye – Green, Anderson, Bussmann, Hatfield, Salerno, Kiefer

No - Wilson

## 97 Southworth Road

This is a decision by the Planning Board as to whether or not this business proposal would qualify as an ag related business in this rural ag district. Hans Hass, owner of Alpine Roofing, submitted a four-page proposal including two maps. Hans has a business that sells metal roofing and siding which is mostly sold to the ag sector, mostly large dairy farms, but also includes small farms as well. They take 10,000 lbs steel coils that are painted already and form it into the panels and form the trim pieces as well. He would like to do the same thing at 97 Southworth Road. There will be a formal public hearing in December if the board decides to go through with this. The question is whether this roofing manufacturing facility is in fact an agricultural related enterprise. From what he said, much of his business comes from farmers. If the board approves this, the next step would be to get the applicant to come back to begin site plan review. The building that is already there would be where they run their business out of. Hans would eventually put a pole barn on that land for extra storage and he would widen and pave the existing driveway that is shared with the neighboring property. Hours of operation would be 7 AM to 4 PM Monday-Friday.

### Comments:

- This business would be great to have in Dryden.
- The neighbors are supportive.
- It seems like it wouldn't make a lot of noise.
- The problem is that this business could be mainly selling for ag now but in a few years, it could be homeowners that are buying it, so where do we draw the line?
- No one can predict the future, so we must judge the application for what it is.
- It looks like an excellent business to come to the town.
- The building is already empty so it would be great to see a business there.
- It looks like a win, win in every direction.
- The company could provide proof of percentage of ag sales each year.
- There are weight restrictions over bridges.
- Large truck traffic through the Village could be a concern.
- Would like to see/hear a video so the board can see how loud it is.
- If it is an ag-related business, the Planning Board should make a list of sketch plan submittal requirements, such as DOT permits if necessary, Village determination of traffic impact, and such.
- Applicant will talk with the Highway Superintendent and Village.

### **RESOLUTION #15 (2020) – DETERMINATION OF AG RELATED BUSINESS – 97 SOUTHWORTH ROAD**

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

RESOLVED, that this board determines that the metal roofing business proposed by Hans Hess at 97 Southworth Road is an ag-related business provided that the applicant demonstrates now and annually that more than half of his business is to farms.

2<sup>nd</sup> T Hatfield

Aye – Green, Anderson, Busmann, Hatfield, Salerno, Kiefer, Weinstein

No – Wilson

Sketch plan review on this matter will be held next month. Applicant will provide approval from the Highway Superintendent and the Village of Dryden with respect to the roads and a letter of agreement from the neighboring property. Depending on the result of the sketch plan, there may be a formal site plan review in January.

### **1400 Dryden Road**

Michael Moore, owner of Four Seasons storage units at 1400 Dryden Road would like to expand his business and put a third building behind the two that already stand. This matter will go before the Town Board tomorrow. This board has reviewed the associated documents and Planning Department memo should pass along any observations or concerns they would like the Town Board to be aware of.

Some questions were raised about compliance with any SWPPP requirements. The SWPPP (triggered by this third building) is under review by TG Miller. Is all the runoff that comes off this roof going to go into the holding pond? Applicant reassured him that it will because that is how it was engineered. The roof has no gutters so when runoff from the roof hits the ground it follows what is shown on the grading plan.

Varna Fire Department's comment were discussed. There is not municipal water available at the site. The sidewalk requirement will be waived because development in the area doesn't seem to warrant it at this point.

R Burger will provide feedback to the Town Board.

### **Open Meetings Law**

J Kiefer reviewed his drafted guidelines on complying with open meetings law and discussed them with board members.

There being no further business, the meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Bambi L. Avery