



## Memorandum

To: Town Board

C: Town Clerk, Town Attorney

From: Planning Department

Subject: 5 & 9 Freese Road, Dryden Tax Parcel ID#s 53.-1-3.2, 53.-1-3.7, 53.1-1-1, 53.1-1-2, 53.1-1-3, 53.1-1-4, 53.1-1-5, 53.1-1-6, 53.1-1-7, 53.1-1-8, 53.1-1-9, 53.1-1-10, 53.1-1-11, 53.1-1-12, 53.1-1-13, 53.1-1-14, 53.1-1-15 and 53.1-1-16

Date: August 23, 2024

---

The Planning Department is in receipt of a Special Use Permit application, submitted by Ithaca Neighborhood Housing Services (INHS) for 11,700 square foot, three-story multi-family building containing 37 units to be included on a site consisting of a total of 53 multi-family units and six (6) for-sale, single family homes all on 4.681 +/- acres. The multi-family area on this site encompasses 3.8 acres, more than 65% of which is greenspace. The single-family homes would be sold on a community housing trust model. The project proposes the combining of 18 lots into two lots and the construction of nine (9) total buildings, several parking areas, an access road, and three recreation areas. The project site is located in the Varna Hamlet Mixed-Use zoning district.

This action is subject to the following approval:

- a) A Special Use Permit (SUP) to allow a structure in Varna that is larger than 5,000 square feet, pursuant to Town of Dryden Code, § 270-7.3 (c) (1)

This action is subject to Regional GML-239 review as the project site is located within 500 feet of a State Road.

This proposed project is an unlisted SEQR action and therefore a determination of significance must be made. The Town of Dryden Planning Board is designated as Lead Agency for environmental review under the provisions of the State Environmental Quality Review Act.

Application documents include a Site Plan, Building Special Permit, General Permit Application, Civil Plans, and Building Profiles. The requirements for a Special Use Permit should be considered based upon the Civil Plan and General Application. The Planning Department and Planning Board have conducted a Site Plan Review.

### ***Site Plan Review***

The Site Plan documents, as provided, show the general layout of the site, the locations and dimensions of the buildings, recreation areas, the existing driveway and proposed parking areas, stormwater management and landscaping.

**Special Use**

The factors to consider for a Special Use Permit, according to state and local law are stated in the table below. (Italicized portions are direct quotes from the Town of Dryden Code.)

SUP Standard	Planning Department Notes
<p><i>Compatibility of the proposed use with the other permitted uses in the district and the purposes of the district set forth in this chapter §270-12.2 (A)</i></p>	<p><i>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. §270-4.1(K)</i></p> <p>A similar project of new housing development on this site was previously presented by Maifly Development and approved by the Town Board in 2020. There are some differences between that plan and the plan now before the Town Board. One major difference is that instead of four (4) two-story multi-family buildings, there would be three, one of which is proposed to be three-stories, with a footprint of 11,700 square feet. Other changes are improved emergency services access, placement of heat pumps, and an increase in recreational space.</p> <p>The proposed six (6) single-family homes on this site are to be 2 and 3-bedroom two-story cottages with covered porches and landscaping, sited along Dryden Road (NYS Route 366). This apparently fits with existing housing, except that they will be more closely spaced, in keeping with Traditional Neighborhood Design.</p> <p>Multi-family homes are permitted in this district.</p>
<p><i>Compatibility of the proposed use with the adjoining properties and with the natural and manmade environment §270-12.2 (B)</i></p>	<p>The proposed plan would bring a total of nine (9) new buildings: six (6) single-family homes, two (2) two-story multi-family units, and one (1) three-story multi-family unit.</p> <p>The three-story building is a change from the priorly approved project. The three-story building proposed for this site exceeds the 5,000 square foot limit, so it is not permitted in this district, but neither is it unprecedented. There is a preexisting nonconforming two-story multi-family building across Dryden Road from the proposed project located at 979 Dryden Road with a footprint of approximately 7,000 square feet. The</p>

	<p>applicant proposes this new, three-story building to be located in a lower elevation portion of the site in order to maintain a consistent roofline with the rest of the buildings on-site.</p> <p>Buildings across Freese Road are single-family dwellings. The square footage of this three-story building significantly exceeds the square footage of nearby single-family homes that predominate in the area.</p> <p>The applicant has indicated that a reduction in housing units that would result from reducing the square footage of the three-story building would make the entire project financially unfeasible. Therefore, the applicant seeks a Special Use Permit.</p>
<p><i>Adequacy of parking, vehicular circulation, and infrastructure for the proposed use, and accessibility for fire, police and emergency vehicles §270-12.2 (C)</i></p>	<p>Town of Dryden Code §270-9.3 <u>Off-Street Parking</u> indicates that (B) (1) <i>For each dwelling unit: one parking space, except for dwelling units occupied by more than three unrelated persons where one parking space per bedroom shall be required.</i> Furthermore, Code §270-9.3 <u>Off-Street Parking</u> indicates that (G) <i>No parking facilities shall provide more than 120% of the minimum number of parking spaces required by this section unless expressly approved by the Board in approval.</i> For the proposed 59 units, this would amount to a maximum of 70.8 spaces. The applicant proposes 81 parking spaces. Therefore, the Planning Board must decide whether to approve an increased number of parking spaces.</p> <p>Seven of the proposed spaces are to be accessible.</p> <p>Some of the spots will be equipped with EV charging stations. Town Building Code Enforcement has indicated that, if the EV charging stations will be receiving electrical service from the buildings or structures on site, they need to conform to the Building Code’s accessibility requirements.</p> <p>Applicant has worked out emergency access issues with the Varna and Neptune Fire Departments, including vehicular circulation, and infrastructure for the proposed use, and accessibility for fire, police and emergency vehicles.</p>
<p><i>The overall impact on the site and its surroundings considering the environmental, social and economic impacts of traffic, noise, dust, odors, release of harmful substances, solid waste</i></p>	<p>Town of Dryden Code §270-7.7 <u>Green Neighborhood Development: Additional Density</u> indicates that <i>In addition to the density permitted in the Varna Density Table §270-7.4, a density bonus may be awarded if a neighborhood development</i></p>

*disposal, glare, or any other nuisances*  
§270-12.2 (D) (Note: this standard should be considered carefully with the environmental assessment form)

*proposal achieves at least basic LEED[-ND] certification according to the most current LEED Neighborhood Development Protocol.* The applicant has indicated compliance with LEED Neighborhood Design and has provided a landscaping plan with a soil and seeding schedule and a planting schedule.

The applicant has submitted a Full Environmental Assessment Form, Part 1. The Town of Dryden Planning Board is the lead agency for compliance with State Environmental Quality Review Act requirements for Parts 2 and 3.

Additional traffic would be generated from the proposed site, as this would be a significant increase in residences at this intersection. There is a proposed full-access southern driveway entrance and a limited access driveway for the trash room for the multi-family building from Freese Road. Access to the single-family homes would be via a single new driveway to Dryden Road. The applicant is working to obtain a driveway permit review and approval from NYSDOT.

According to the applicant's engineering report, NYSDOT has indicated that there would not be enough traffic generated from this proposed development to warrant the preparation of a full Traffic Impact Study. However, at the request of the Town of Dryden, NYSDOT has recently installed a blinking yield traffic signal at the Freese Road and Dryden Road intersection to increase safety at this intersection, where there are also bus stops and a crosswalk.

Applicant's engineering report specifies a lighting plan that is Dark Sky compliant.

The applicant has submitted a grading, drainage, and erosion control plan.

The applicant is preparing a required Stormwater Pollution Prevention Plan (SWPP). There are two proposed bioretention areas and a single stormwater pond for stormwater quantity mitigation. The applicant has indicated that the site is located within FEMA Flood Zone C, and that the property encroaches on the 100-year flood plain. However, there are no buildings proposed to be sited in this area.

The proposed site has hook-ups to the Town's water and sewer systems. An 8" sanitary sewer main would be extended from

	<p>the existing 8” sanitary sewer main into the development. A private 8” sanitary lateral would be extended into the multi-family portion of the project. The applicant is waiting until the Town completes a planned water main replacement in that area to specify water service/infrastructure.</p> <p>Waste removal is proposed to be contracted by the applicant from a trash room for the multi-family units, and waste removal for the single-family homes is proposed to be contracted by the individual homeowners along Dryden Road.</p>
<p><i>Restrictions and/or conditions on design of Structures or operation of the use (including hours of operation) necessary either to ensure compatibility with the surrounding uses or to protect the natural or scenic resources of the Town §270-12.2 (E)</i></p>	<p>Other than the larger-than-permitted size of the three-story multi-family dwelling, restrictions and/or conditions on the design of the structures appear compatible with Town of Dryden Code.</p>
<p><i>Compliance with the requirements for site plan review, including conformity to the Town’s Residential and Commercial Design Guidelines §270-12.2 (F)</i></p>	<p>The applicant has submitted all required materials for site plan review. The Planning Board and Planning Department have been in conversation with the applicant about this project over the past several months, and the applicant has refined the plan to meet Town Code requirements, including the Town’s Residential Design Guidelines. The Planning Board will again evaluate the sufficiency of the submissions at the August meeting and will provide recommendations it deems appropriate.</p>