

**Town of Dryden**  
**Planning Board Meeting**  
**Thursday, August 22, 2024**

**5&9 Freese Road – Public Hearing (continuation) and Site Plan Review with SEQRA and Public comments.**

**Adam Fishel from Marathon Engineering** with his team, presentation for project. Addressing the public comment issues from last months meeting

- Concerning landscaping along the frontage, we have added more trees across the front to improve visual buffering.
- We have added 20-foot-tall pole fixtures in front of the buildings and the parking and driveway areas to address the light spillage onto other properties. We are still maintaining desired light levels in parking and sidewalk areas.
- The condensers for the taller 3-story building will be on the roof and will be screened with a wood fence for visual buffering as well as noise. The condensers between the 2-story multi-family buildings will be buffered by a solid wood fence facing Freese Rd.
- The reduction in the stormwater management we are proposing has already gone through DEC design manual changes and DEC issued new guidance. The bioretention area has been reduced to comply will provide water quality with a smaller footprint. The stormwater detention pond in the back will stay the same size and will not be impacted.
- When the water is discharged there is a defined channel on the corner of the Weinsteins property and Cornells. Pipe will discharge to a grass ditch. There will be fencing around the ponds.
- There will be an on-site manager who is on-site every workday of the week but not full-time. They will share duties between 2 projects they may be there about 4 hours a day. There will be a facilities Coordinator for the maintenance of the property as needed. There will be emergency numbers 24/7.
- We spoke to TCAT about a bus stop and TCAT has no interest in putting in a bus stop shelter at the Dryden and Freese Rd. intersection. INHS wants the shelter, and they will pay to have one installed.
- The issue of the fill site and the caliber of the soil, with the destroyed buried homes. There is construction debris and it's pretty soft and unclassified, not compacted and the geotechnical assessment says it cannot support any of the buildings which will consist of ground screws that would penetrate through the softer soils. Then there is rock, and the ground screws can penetrate the rock, so the building would be supported on a deep foundation system. During construction if other unsuitable materials are discovered that will have to be removed appropriately. There is engineering backup behind this.

**Boards Discussion**

The Board and Marathon Engineering have a discussion on the need for sidewalks along the Dryden Rd side. Added sidewalks would take away from the single-family's yard and they would go nowhere just a strip of sidewalk on Rt. 13. The Board will request sidewalks.

Discussions on fire access, turn around and sprinklers through the fire department and a consensus was reached through Chief Mason and Chief Bell that we have adequate fire protection.

As for the Green Development Bonus, we are going for the EGC, Energize Green Community 2020 it will be certified and we provided in the submission a checklist mapping, we are hoping you will accept the certification to ERC 2020 as a comparable justification for the bonus. The Board agrees the analysis provided looks great and the qualification is above the base certification level, and you have met all the requirements.

There is a floodplain discussion. The County 239 review recommendation was that they follow the floodplain guidelines because on to that backside of the property it is in a little bit. The determination is the elevation of the building is above the floodplain.

**Motion:** T. Salerno to close the public hearing

**Second:** J. Wilson

**All in favor** – yes, unanimous

The Board reviews SEQR environmental assessment forms and completes Part 2 and 3

**Motion:** J. Kiefer moves to make a negative declaration of environmental significance

**Second:** T. Salerno

**All in favor** – J. Wilson is opposed

**RESOLUTION #\_\_\_ (2024) – Approving Site Plan at 5 & 9 Freese Road, Tax Parcels** 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

WHEREAS,

A. On May 9, 2024, Ithaca Neighborhood Housing Services applied for a site plan approval for demolition of existing site features, lot resubdivision, and the modification of the development's stormwater facilities to facilitate the construction of three (3) new multi-family buildings totaling 53 dwelling units and six (6) single-family home lots. One of these buildings is proposed to exceed the permitted 5,000 square feet footprint. This project is proposed to be located at 5 & 9 Freese Road, tax parcel numbers 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. Application included site plans, notice of ground disturbance, engineering reports, elevations, SWPPP, and Full Environmental Assessment Form. Supplemental materials submitted July 12, 2024, and August 8, 2024, included more detailed plans, revised to satisfy requests for changes by the Planning Board.

B. The Town Planning Department considers the application complete and in conformance with the requirements of the Code of the Town of Dryden (Code) §270-11, and

C. A public hearing was held on July 25, 2024 with public comments registered in the meeting minutes and considered by this board, and

D. The Tompkins County Planning Department has reviewed the application pursuant §239 -l, -m, and -n of the New York State General Municipal Law, and

E. In a letter dated August 19, 2024, the Tompkins County Planning Department determined that the proposed action will have no significant county-wide or inter-community impact, and

F. Pursuant to the New York State Environmental Quality Review Act ("SEQRA") and its implementing regulations at 6 NYCRR Part 617, the Planning Board of the Town of Dryden has, on August 22, 2024, made a negative determination of environmental significance, after having reviewed and accepted as adequate the Full Environmental Assessment Form Parts 1, 2, and 3, and

G. The Planning Board has reviewed this application relative to the considerations and standards found in Code §270-11 for site plan review.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Planning Board approves the site plan documents, submitted with the application dated May 9, 2024 and supplemented July 12, 2024 and August 8, 2024 as site plan for 5 & 9 Freese Road, conditioned on the following:

a. Once the final SWPPP is approved by the Town's Stormwater Manager and Engineer a copy of the DEC's letter of acknowledgement shall be provided to the Town.

b. Any minor site plan changes made necessary as a result of the building code review do not need further review from the Planning Board unless requested by the Planning Department.

c. A Special Use Permit (SUP) is approved by the Town Board to permit the proposed three-story building to exceed 5,000 square feet.

d. Project must comply with the recommendations of the Town's Engineer and Highway superintendent for utility and road infrastructure improvements along Freese Rd. and Dryden Rd. including comments that have been issued or yet to be issued. Comments to be satisfied prior to issuance of building permits.

e. The final form of any easement and easement descriptions that may be necessary for public ingress/egress or stormwater purposes. All unnecessary easement(s) that may have been filed for previous developments are to be vacated as deemed unnecessary by

the Town Engineer and Town Attorney. New easement(s) to be executed and filed with Tompkins County Clerk prior to issuance of building permits.

2. Town of Dryden Standard Conditions of Approval as amended August 14, 2008 apply:
- 1) The Environmental Assessment Form prepared in connection with the project is approved and accepted based upon the fact that the project will have no adverse environmental impact.
  - 2) The project shall be constructed according to the plans submitted by the applicant and approved and filed with the Town of Dryden.
  - 3) That the project during and following construction shall comply with all applicable Town, County, State and Federal laws, statutes, codes, ordinances, approvals and rules and regulations.
  - 4) That the project during construction and upon completion shall not constitute a public or private nuisance.
  - 5) That, when municipal water or municipal sewer is available to the site, the applicant shall connect to the same upon notice to do so from the Town.
  - 6) If applicable, the project shall comply with Dryden Town Local Law #4 of 2007 establishing the Town of Dryden Stormwater Management, Erosion and Sediment Control Law.
  - 7) Existing buffer is required and it shall be maintained by the applicant.
  - 8) No permits shall be issued until all fees and current reimbursable expenses are paid by the applicant and no Certificate of Occupancy or Temporary Certificate of Occupancy or Certificate of Compliance shall be issued until all outstanding reimbursable expenses are paid by the applicant.
  - 9) In the event of a sale, transfer or discontinuance of the permitted use of the property, the applicant or permittee shall notify the Planning Department of such sale, transfer or discontinuance.

**Motion:** J. Kiefer moves to approve the Resolution

**Second:** C. Morrissey

**All in favor** – yes, unanimous

The Board recommends to the Town Board that they approve the Special Use Permit as specified in the Site Plan. The applicants met the requests that the fire department made to deal with the large 3-story building, including going beyond fire code requirements in some cases. They also mitigated stormwater and floodplain issues, and sited the building to minimize visual impacts from the road.

**Motion:** T. Salerno

**Second:** J. Kiefer

**All in favor** – yes, unanimous