



# TOWN OF DRYDEN • DRYDEN, NEW YORK

65 EAST MAIN STREET, DRYDEN, NEW YORK 13053

*In the Heart of the Finger Lakes Region*

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July 7, 2005

**TO:** Dryden Town Board Members, Planning Board Members, Conservation Board Members, George Frantz, and Mahlon Perkins

**CC:** Edward C. Marx, AICP, Tompkins County Commissioner of Planning

**FROM:** Debbie Gross, Town of Dryden Environmental Planner

**RE:** Tompkins County Recommendations on the Town Comprehensive Plan

Enclosed is the response from the Tompkins County Planning Department regarding 239 L and M review of the Town of Dryden's Draft Comprehensive Plan. This was received on July 5, 2005, and I am sending it out for your review in advance of the upcoming July 14 public hearing on the Comprehensive Plan. I will also share my thoughts on these comments.

County Planning makes four formal recommendations "regarding matters which could have negative inter-community or county-wide impacts" and states that "should the Town not wish to adopt these recommendations State law requires a vote of a majority plus one of the Town Board to adopt the plan". They also make six informal comments. I believe these recommendations and comments reflect a thoughtful reading of the plan and deserve due consideration. It will be best if you first read the letter from County Planning and then return to my comments below.

**The first formal recommendation** refers to the section on Hamlet Areas in chapter 5 of the plan. This section begins on page 54, and the County comments specifically refer to the paragraph on page 59 which states:

For most parcels in the hamlet the density should be maintained at its current level. To control the development process, the town should require that a developer seeking a higher density on a given parcel request a zoning change, placing the responsibility on the developer to prove why their proposal fits with the plan's vision for hamlet growth. This procedure for the approval of new development is much more likely to give the town the power to create the type of heterogeneous set of densities sought for the hamlets.

I understand the County's concern that requiring a zoning change will add one more disincentive towards denser development in existing population centers. Such a disincentive may be seen as contradictory to the plan's stated goal (p. 51) of "Encouraging higher density residential development in and around the existing village and hamlet centers of population".

An earlier draft of the plan did not include the above quoted paragraph and instead stated that “the residential density proposed for the hamlet areas is an average of 8 dwellings per acre...the Hamlet areas would be comprised of several types of residential zoning districts with varying maximum allowed densities.” However, this proposed density led to expression of concern by several Varna and Etna area residents that it would lead to sudden and drastic changes out of character with the existing community. Revisions were made to the plan as a result of these comments.

*Perhaps a reasonable compromise (and an idea which has already been suggested by George Frantz and discussed by the planning board) would be for the plan to recommend in depth community meetings in both Varna and Etna and the other hamlet areas as part of the plan implementation process. The goal of these community visioning meetings would be to establish design criteria and guidelines for spatial layout of the community that would allow an increase in density while maintaining important aspects of community character. If it is not possible after thorough discussion in the course of these meetings to identify specific locations that could be zoned for denser multi-family development, then more general areas could be identified, and criteria developed for adoption of a floating zone. I have more information on floating zones for anyone who is interested (printed out from the website of the Pace Land Use Law Center).*

**The second formal recommendation** refers to the timing of extension of water and sewer services, and specifically to the following text from page 59 of the plan:

As with all areas designated in this plan to be logical locations for future implementation of water and sewer line, this plan does not advocate construction of new lines in advance of development. Such extension of service should be considered after a density has built up in the area to warrant supporting it.

The issue of timing of water and sewer extensions and how to finance them is a tricky one. It also raises the question of anticipating future development trends. Map 5-3 in the plan does suggest large areas for water and sewer extension, and on page 84 in the Fiscal Impacts section the rough estimate for cost of these extensions is close to 14 million dollars. Detailed engineering studies will be required to determine the best approach towards achieving these extensions. The issue is further complicated by the need for intermunicipal cooperation for the provision of water and sewer services. Another relevant question is whether the Town should prioritize areas for extension of services relative to the three areas identified in the plan (outside of the Village of Dryden, outside of the Village of Freeville, Etna / Varna area, and questions remain in parts of Ellis Hollow).

*The easiest solution I can propose at this time is that the plan should call for development of a long term water and sewer service plan for the Town, including intermunicipal dialog, public participation, and consideration of issues of timing and financing. The Comprehensive Plan provides a starting point (see pages 49 and 77-8 also), but not enough detail to guide infrastructure extensions without further planning. Because extension of water and sewer services is inherently connected with increased housing*

density, this issue should also be discussed during the hamlet community meetings suggested above, which means that it might be helpful to expand the community meetings to include the proposed suburban residential (red) areas associated with the hamlets and villages. Meanwhile, our office will continue to research the issue. The Public Management and Finance Program of the Environmental Finance Center at Syracuse University provides assistance to rural communities in these matters and we should make use of this resource, as well as other local sources of assistance.

**The third formal recommendation** refers to the Route 13 Corridor. The Comprehensive Plan addresses this area in the section called “Highway Corridor Overlay” which begins on page 63. A comment was earlier received from the Ithaca Tompkins County Transportation Council (ITCTC) that the plan should refer to the proposed “cooperative corridor management plan” to be developed with the involvement of the Town of Dryden, Tompkins County, the ITCTC, and NYS Department of Transportation. The planning board discussed this comment and at the time decided not to include reference to this future cooperative planning effort in the plan. There is a natural tension between the interests of surrounding communities connected by the Route 13 corridor versus the interests of communities traversed by the corridor. Certainly some kind of corridor management plan is called for. *I suggest that rather than including text in the plan stating that the “overlay area should be governed by the recommendations of the corridor plan” before we have seen what that plan will entail, the Town should include a statement such as: “The Town of Dryden will participate in future intermunicipal and agency efforts to develop a management plan for the Route 13 Corridor, and will consider the outcome of this planning process in the implementation of this Comprehensive Plan.”*

**The fourth formal recommendation** refers to the recommended future land use map (Map 5-1) and specifically the northwest portion of the map. In earlier drafts of the plan, this area was shown as all “conservation / open space”. After meetings with the Ag Committee, the designation was changed to acknowledge presence of some active farming in the area, and ag district designation of the area. Keep in mind that the proposed future land use map is intended as a broad guideline for future land use planning, not as an exact template. However, given the presence of forested wetlands in the area, County Planning makes a good point. *We could modify map 5-1 to outline in more detail the areas of existing agriculture vs. existing forested wetland.*

We should also recognize that farmers often do leave part of their parcel as woodland and wetland, and that the Federal Conservation Reserve Program is another approach for protection of wetlands in agricultural areas. Town-wide, we may also want to consider development of a wetlands protection overlay district which takes into account the presence of hydric soils, DEC wetlands, Federal wetlands, and County Unique Natural Areas, and may even prioritize wetland areas for protection based on “functions” (such as flood reduction, water quality enhancement, wildlife habitat, etc.).

I’ll address the **six informal comments** in somewhat less detail. Several items are areas of active work and consideration by town staff and the Planning Board and Conservation

Board even if they are not directly mentioned in the plan. This includes the issues of stream buffers, stormwater management, and floodplain protection. Certainly the addition of specific references to these issues in the plan would provide a stronger basis for these efforts. These additions could be made on page 69.

It is helpful to be continuously reminded to work together with both villages, and I think this point is made in the plan in several locations.

In terms of supporting “a higher percentage of new development in the areas adjacent to villages and hamlets,” I believe that the plan makes a good effort to do so, though there is room for improvement, as discussed above in the section on hamlets, and perhaps in terms of providing better incentives for development near population centers. Yet, we must recognize that while many planners like the idea of clustered development, we are working to strike a balance between this goal and the rural nature of the community and typical housing preferences in the region.

The comment on recommended density in the agricultural areas needs a more detailed response. An earlier draft of the plan proposed a recommended density in the agricultural areas of 1 dwelling unit per 10 acres. This did not mean 10 acre lots—rather that a 100 acre parcel, for example, could be developed to include up to 10 housing lots of 1 to 2 acres each, leaving about 80 acres protected as farmland. However, there was substantial public concern about this suggestion, especially among active farmers, including a point made by local agricultural lenders that this could significantly reduce a farmer’s equity and therefore ability to take out a loan.

Recognizing that dialogue with local active farmers is key to developing a strategy for supporting local agriculture, and thereby protecting agricultural land, the Town formed an ad-hoc agricultural committee. A number of changes were made to the plan as a result of the work of this committee. Now the plan primarily recommends non-regulatory strategies for supporting local agriculture and protecting agricultural lands, and Appendix A at the end of the plan provides more ideas. Another suggestion is to place more emphasis on providing incentives and support for development closer to current population centers, rather than restricting development in the outlying areas. The plan still does state, on page 66, the intention to “reduce the potential density of future residential development in those areas designated Agricultural from the current level of approximately one dwelling per acre to a lower density, such as one dwelling for every two acres.” The Town could consider a greater density reduction, somewhere between 1:2 (currently in the plan) and 1:5 (suggested by County Planning). However, there might be opposition. On the other hand, I have heard planners suggest that a combination of non-regulatory and regulatory strategies is the most effective for protecting agricultural lands. Perhaps public support for some regulation may increase if non-regulatory methods prove ineffective and development pressure increases.

I recently attended a meeting about future directions of the New York State Agricultural Purchase of Development Rights program. Apparently this program will increasingly emphasize the need for local municipalities to actively support local agriculture as a

prerequisite to receiving funding. In addition to funding Purchase of Development Rights on individual farms, the program may increasingly fund the development of holistic Town or County Programs focused on protecting local farmland and supporting local agriculture.

I'll make one final suggestion for the plan. Ann Hotchkin from Thoma Development Consultants suggests that the plan should include a small section making specific reference to the "New York State Quality Communities Initiative" (see <http://qualitycommunities.org/index.asp>). Such reference may improve our chances when applying for state grants.

If you have any suggestions or questions in response to this memo, please contact me at 844-5607 or [envplan@frontiernet.net](mailto:envplan@frontiernet.net).

Sincerely,

A handwritten signature in black ink, appearing to read "Deborah Gross", with a stylized flourish at the end.

Deborah Gross

Town of Dryden Environmental Planner