

**Tompkins County**  
**DEPARTMENT OF PLANNING**

121 East Court Street  
Ithaca, New York 14850

Edward C. Marx, AICP  
Commissioner of Planning

Telephone (607) 274-5560  
Fax (607) 274-5578

June 30, 2005

Mr. Henry Slater, Zoning/Code Enforcement Officer  
Town of Dryden  
65 East Main Street  
Dryden, NY 13053

Re: Review Pursuant to §239 -l and -m of the New York State General Municipal Law

Action: Comprehensive Plan, Town of Dryden

Dear Mr. Slater:

This letter acknowledges your referral of the proposal identified above for review and comment by the Tompkins County Planning Department pursuant to §239 -l and -m of the New York State General Municipal Law.

We are pleased to see that the Town is updating its comprehensive plan and generally support the goals, objectives and actions intended to guide the Town's future growth. The Plan promotes increased development near existing villages and hamlets, and promotes open space and agricultural protection in areas that are generally consistent with the Tompkins County Comprehensive Plan's Natural and Agricultural Features Focus Areas. The future trails and park plans are also one of the many positive aspects of the Plan.

Pursuant to General Municipal Law we make the following recommendations regarding matters which could have negative inter-community or county-wide impacts. 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.

1. We recommend modification of the plan's suggestion that case by case rezoning should be required before higher density is allowed in hamlets. This approach is almost certain to discourage this desirable pattern of development and encourage sprawling rural residential development elsewhere where it is allowed by right. Rather, we would suggest that the plan recommend that implementing zoning amendments include design criteria for hamlets that will ensure that higher density residential and mixed use development conform to the community character of these areas.
2. The plan suggests that water and sewer will be extended to designated areas after a sufficient density of development is established. We strongly recommend against this approach for two reasons. First, this will require that residents pay the full cost of installing private water and sewer facilities and then later pay the cost of installing public facilities. This is wasteful and will lead to justifiable resistance among property owners against extension of public infrastructure to areas recommended by the plan. Second, if development initially occurs at a density that can be supported by private infrastructure that density will be too low to economically support public infrastructure at a later date. Rather, infrastructure development should be required concurrently with development so that the appropriate density is encouraged and infrastructure is paid for once, when development occurs.

3. We recommend that the Route 13 corridor overlay extend all the way from the Cortland County line to the intersection with Route 366 where Route 13 becomes a limited access highway. Tompkins County and the ITCTC are about to embark on a cooperative corridor management plan with the Town of Dryden and the NYS DOT and we strongly recommend that the Town of Dryden Comprehensive Plan state that development in this overlay area should be governed by the recommendations of the corridor plan. The corridor plan could then be adopted as an amendment to the comprehensive plan. The type of small, scattered commercial development suggested by the plan would, in the absence of a comprehensive approach to access management, degrade the transportation function of Route 13 which is Tompkins County's only major arterial road and our critical link to the interstate system.

4. Overall, the future land use map in the plan is very consistent with the County Comprehensive Plan. One notable exception is the area in the northwest bounded by Peruville, Sheldon, Bone Plain and Scofield Roads which is part of the Wetlands Upland Forest Natural Features Focus Area and contains a major Unique Natural Area. While we support agricultural designation of lands in the Agricultural District which have potential for active farm use much of the core of this area which makes up the UNA is forest and wetland with significant natural values and little agricultural or development potential. We recommend that this area be included in the conservation designation on the land use map.

The Department offers the following comments regarding the plan, which are not formal recommendations under General Municipal Law §239 -l and -m:

- We recommend discussion with the Villages of Dryden and Freeville to coordinate planning of infrastructure to accommodate higher density growth in the Town adjacent to both villages.
- We believe that the recommended density in the agricultural zone should be reduced to make protection of farmland via clustering of residential development a viable alternative. One unit per five acres could be a reasonable density that could achieve this objective.
- The Plan should include a recommendation for implementing stream buffers as a means of protecting water quality. A large portion of the Fall Creek watershed, the largest tributary to Cayuga Lake, is in the Town of Dryden and buffering of Fall Creek and its tributaries will be a key component of long-term efforts to protect the lake. Also, the plan should recommend implementation of stormwater management and erosion control measures to limit runoff and protect water quality.
- Flood plain protection should be specifically addressed in the recommendations section of the plan. The plan should recommend that filling of flood plains be prohibited and that development be prohibited or strictly controlled in flood plain areas.
- We recommend that the plan's intent be clarified to support a higher percentage of new development in the areas adjacent to villages and hamlets. These areas will be much easier to serve with infrastructure and public transportation services.
- The Ag Reserve concept should be more fully and clearly explained. We suggest that the plan defer recommendations for infrastructure improvements in this area pending a more detailed small area plan to be developed in the future that would balance agricultural preservation and residential development in this area.

Once again we commend the Town on this update of the comprehensive plan.

Please inform us of your decision so that we can make it a part of the record.

Sincerely,



Edward C. Marx, AICP  
Commissioner of Planning