

MINUTES  
For  
Village of Dryden  
Planning Board Meeting  
Held on Monday, June 26 2017  
Public Hearing 37-39 Elm Street SPR

1<sup>st</sup> draft

CHAIRPERSON PRESENT: Ben Curtis  
PLANNING BOARD MEMBERS PRESENT: Deb Hattery, Les Cleland, Chris Gibbons, Doug Brown  
ALTERNATE MEMBER NOT PRESENT: Nick Kuzmik  
SECRETARY PRESENT: Abby Homer  
GUESTS PRESENT: Dave Sprout, Code Enforcement  
Tim Obrien, Ellicott Development  
Joe Draghi, Great Dane Properties  
Henry Newman & Susan Beckley, Ithaca Ice  
Beth Peck, Rochester St.  
Patricia Waldron, Rochester St.

Chairman Curtis called the meeting to order at 7:04 p.m. Introductions of Board Members were made.

The Board agreed to not meet in August due to summer schedules. Pending no business, the July meeting could also be tabled.

Chairman Curtis noted the distribution of a DRAFT of the solar regulations that the Board has put together over the past several months. Board Members were asked to review it and make any notes or questions to discuss in the fall, prior to recommendation to the Board of Trustees.

Ithaca Ice Company SPR

Henry Newman and Susan Beckley presented the Site Plan and done business plan details for the relocation of their existing ice company from Ithaca to 37-39 Elm Street. They stated the rear building would be for storage and the manufacturing would take place in the middle section. A retail/night cooler would be placed in the parking lot as well. It was noted that the existing two apartments would remain (subject to Building Code compliance), possibly an employee would occupy one if needed. Renovations would begin in the fall to move the business in, the busy season being seasonally from Memorial Day through Labor Day. Wall Street would be used for Truck deliveries, typically small box trucks. The site itself is proposed to have changes to include security, additional lighting and removal of overgrown landscaping.

The Public Hearing on the Site Plan application was opened by Planning Board Members Hattery and Cleland at 7:18 p.m.

Rochester Street Resident Beth Peck asked if it was both sides of Elm Street, or just one. The proposal is for the south side of Elm Street only.

Rochester Street Resident Patricia Waldron asked if there were decibel measurements for the sound coming from the existing units. No decibel information was available, but it was noted that at the previous meeting, alternate member Kuzmik, who is familiar with such equipment, had stated that the sound is minimal.

Miscellaneous questions like how many trucks and what other equipment, hours of operation and deliveries, and zoning. More details regarding the trimming of overgrown trees and bushes were discussed along with the intent to leave the hedge as a vegetative screen on the Rochester Street side.

It was also noted that a phone call came into the Village Office prior to the Hearing from a Rochester Street neighbor, in support of the business, but wanted to be sure there was enough Village water.

Upon no further questions or comments under privilege of the floor, it was closed at 7:33 p.m. by Planning Board Member Brown and Chairman Curtis.

The Board then reviewed the Site Plan application and review letter from Code Enforcement, the Fire Department comments and the County Planning 239 L&M response (no negative intercommunity or county-wide impacts). Note to DPW, Hydrant #53 does not meet standards, as mentioned in the fire department review.

Chairman Curtis noted there is a Water Emergency Plan that has provisions related to the shortage of water which is being updated and industrial and commercial users such as this would probably be rationed ahead of residential uses in the event of a water shortage.

The SEQR document was reviewed and the Board went through their portion. On a motion by Planning Board Member Cleland and seconded by Planning Board Member Brown, the following was passed. Vote: Cleland-Aye, Brown-Aye, Hattery-Aye, Gibbons-Aye, Curtis-Aye.

RESOLUTION No.19- 2017  
Negative SEQR 37-39 Elm

**Resolved** that the Planning Board of the Village of Dryden hereby make a negative SEQR Declaration for proposed relocation of Ithaca Ice Company to 37-39 Elm Street, and authorizes Chairman Curtis to sign the document.

On a motion by Chairman Curtis and seconded by Planning Board Member Gibbons, the following was passed. Cleland-Aye, Brown-Aye, Hattery-Aye, Gibbons-Aye, Curtis-Aye.

RESOLUTION No. 20-2017  
37-39 Elm Street Ithaca Ice Company Site Plan

**Resolved** that the Planning Board of the Village of Dryden hereby approves the Site Plan as submitted by Henry Newman for the relocation of Ithaca Ice Company to 37-39 Elm Street, with the following conditions:

1. Removal of the first parking space (parking space #1), next to the Fire Hydrant
2. Noise-in the event of excessive complaints from neighbors regarding noise, noise abatement measures shall be taken in a timely manner.
3. The vegetative screen along Rochester Street shall be retained/remain and be maintained as a buffer. Evergreen was recommended and plantings were recommended around the sides of the condenser/tower area.
4. Deliver trucks shall use Wall Street, and be limited to 7AM to 9PM hours.

#### 79 North Street-Amended Site Plan Review

Tim O'Brien of Ellicott Development presented the final proposed Site Plan for the re-development of 79 North Street. The current signed lease is for an 11,180 sq. ft. Rite Aid Pharmacy with drive thru, and there is no lease at this time for the second proposed commercial/retail area. He summarized that the additional right in entrance on Rt. 13 was eliminated, and a right out is still shown on the plan for the proposed drive thru commercial/retail space. The Main entrance shows a right turn in from 13/North Street and a the exit to go left or right back on to North Street, and there is a through entrance/exit onto Rt. 38. He stated the State DOT, US Army Corps of Engineers and the Village Engineer's comments have all been incorporated (less the removal of the Rt. 38 access suggested by the Village Engineer).

The elevation sheet was reviewed and the landscaping plan. Details about adding landscaping were discussed. The Board reviewed the application, County Planning and Fire Department responses; however the latest 239 L&M response was received the week prior to the meeting. The recommended modifications (to remove the parking along North Street and add street trees, landscaped islands) were not likely to be fully included in the Site Plan Approval because the trees conflicted with the DOT recommendations (a hedge was substituted) and parking in the front is consistent with other businesses in this area., therefor a super majority vote would be required to approve.

The SEQR document was reviewed and the Board went through their portion. On a motion by Planning Board Member Hattery and seconded by Planning Board Member Cleland, the following was passed.  
Vote: Cleland-Aye, Brown-Aye, Hattery-Aye, Gibbons-Aye, Curtis-Aye.

#### RESOLUTION No. 21- 2017

##### Negative SEQR 79 North Street retail store with drive thru pharmacy

**Resolved** that the Planning Board of the Village of Dryden hereby make a negative SEQR Declaration for proposed redevelopment of 79 North Street for the proposed retail drug store with drive thru pharmacy, and authorizes Chairman Curtis to sign the document.

On a motion by Chairman Cleland and seconded by Planning Board Member Brown, the following was passed. Cleland-Aye, Brown-Aye, Hattery-Aye, Gibbons-Aye, Curtis-Aye.

RESOLUTION No. 22-2017

79 North Street retail drug store with drive thru pharmacy Site Plan

**Resolved** that the Planning Board of the Village of Dryden hereby approves the Site Plan as presented on Rev 3-06/23/17 for the 11,180 sq. ft. proposed retail drug store with drive thru Pharmacy with drive thru, subject to the conditions listed below:

1. The Fire Hydrant on the North end shall be raised, per the fire department recommendation.
2. The Bio retention practice recommended by the Board shall be constructed and approved by the Village Engineer along with any necessary maintenance and access agreements approved by the Village Attorney.
3. The South exit shall not be constructed until/unless the drive thru restaurant is approved by special permit/site plan review.
4. Landscape plan shall be amended to add a tree between the diner and parking lot and a hedge or plantings in between the trees on the North Street side.
5. The Rt.38/Freeville Road access shall remain and be maintained
6. NYS DOT, DEC and US Army Corps requirements shall all be satisfied and documented.

Chairman Curtis noted that County Planning should be given the reasons why their recommendations were not included.

OLD Business

It was noted that 53 West Main Street still does not appear to be in compliance with a condition of their Site Plan approval regarding the landscaping on the street side. Code Enforcement Officer Sprout stated he would follow up with the property owner.

It was noted that the Board members were contacted individually by Paul Simonet to visit the site of the proposed phase two of his Maple Ridge subdivision development. Curtis and Cleland stated their reluctance to accept the site visit invitation, in the absence of an official application or formal request for action.

Adjourn

On a motion by Planning Board Member Brown and seconded by Planning Board Member Cleland, the following was passed. Vote: Cleland-Aye, Brown-Aye, Hattery-Aye, Gibbons-Aye, Curtis-Aye.

RESOLUTION No. 23-2017

Adjourn

**Resolved** that the Planning Board of the Village of Dryden hereby adjourns the meeting at 8:45 p.m., not to re-convene.

