

**TOWN OF DRYDEN
NOTICE OF PUBLIC HEARING
ZONING ORDINANCE AMENDMENTS**

PLEASE TAKE NOTICE that the Town Board of the Town of Dryden will hold a public hearing on proposed amendments to the Town of Dryden Zoning Ordinance. The proposed amendments relate to the implementation of part of the 2005 Comprehensive Plan which recommended the development and use of commercial development and residential design guidelines.

The text of the proposed amendments follows:

1. Appendix A (Definitions) is hereby amended by adding definitions of “Commercial Development Design Guidelines” and “Residential Design Guidelines” to read respectively as follows:

“Commercial Development Design Guidelines – the Town of Dryden Commercial Development Design Guidelines dated December 3, 2008, and all subsequent revisions. These guidelines are found in Appendix C, hereby made a part of this Ordinance.”

“Residential Design Guidelines – the Town of Dryden Residential Design Guidelines dated December 3, 2008, and all subsequent revisions. These guidelines are found in Appendix B, hereby made a part of this Ordinance.”

2. Section 500 of Article V: General Provisions is hereby amended by adding a new subsection (7) to read as follows:

“7. A. The Town Board reserves the right to waive or modify upon a determination as herein provided, the following requirements pertaining to lot dimensions:

1. Under Section 702. Density and Area Requirements, subsections (2) - lot area and street frontage; (3) - lot area and street frontage; and (4) gross lot area coverage.
2. Under Section 703. Yards and Landscaping, subsections (1) – front yard dimensions; and (2) – side and rear yard dimensions.
3. Under Section 753. Density and Area Requirements, subsections (1) – floor area restrictions, lot area and street frontage; (2) – lot area and street frontage; (3) – lot area and street frontage, and (4) – gross lot area coverage.
4. Under Section 754. Yards and Landscaping, subsection (1) – front yard dimensions; and (2) – side and rear yard dimensions.

5. Under Section 803. Density and Area Requirements, subsection (1) floor area restrictions, lot area and street frontage; (2) – lot area and street frontage; (4) – lot area and street frontage; (5) – lot area and street frontage, and (6) – gross lot area coverage.
 6. Under Section 804. Yards and Landscaping, subsections (1) – front yard dimensions; and (2) – side and rear yard dimensions.
 7. Under Section 904. Density Area Requirements, subsections (1) – floor area restrictions, lot area and street frontage; (2) – lot area and street frontage; (4) – lot area and street frontage; (5) – lot area and street frontage; and (6) – gross lot area coverage.
 8. Under Section 905. Yards and Landscaping, subsections (1) – front yard dimensions, and (2) – side and rear lot dimensions.”
 9. Under Section 1205. Density and Area Requirements, - gross lot area coverage.
 10. Under Section 1206. Yards and Landscaping, subsections (1) – front yard dimensions; (2) – side and rear lot dimensions; and (5) – lot area and street frontage.
 11. Under Section 2202 Area and Density Requirements, - district acreage requirements.
- B. 1. The purpose of the reservation of the right to waive or modify the foregoing lot requirements is to encourage development or re-development, as the case may be, in accordance with the Residential Design Guidelines and Commercial Development Design Guidelines which are found in Appendices B and C to this Ordinance.
 2. An applicant requesting a waiver or modification of the foregoing lot requirements must demonstrate by clear and convincing evidence that, to the maximum extent practicable, the proposed development complies with the Residential and/or Commercial Development Guidelines.
 3. In reaching a determination whether the applicant has, to the maximum extent practicable, complied with the applicable Design Guidelines, the Town Board shall consider:

- (a) the recommendations of Environmental Planner, Zoning Officer and in the case of a subdivision, the recommendation of the Planning Board;
 - (b) the scope of the proposed development, including number of new lots;
 - (c) minimization of new public infrastructure;
 - (d) maximization of permanently preserved open space; and
 - (e) utilization of techniques designed to enhance public safety, environmental quality, property values, economic opportunity, town character as expressed in the Town's Comprehensive Plan and the overall quality of life for all town residents.
4. The Town Board shall hold a public hearing on any application to waive or modify lot requirements under this subsection. Notice of such public hearing shall be published in the official town newspaper at least ten (10), but not more than 20 days prior to such public hearing.
5. In reaching a determination about whether to waive or modify any of the foregoing lot requirements, the Town Board shall make detailed findings of fact and conclusions based on the application, the recommendations of the various reviewers, the public hearing and the standards herein set forth. Such determination by the Town Board shall be by resolution and is hereby declared to be a legislative act.”
3. Section 2206 of Article XII: Planned Unit Development Districts is hereby amended by renumbering subsection (1) to be subsection (3) and by renumbering subsection (2) to be subsection (4) and by adding thereto new subsections (1) and (2) to read as follows:

“(1) Pre-Application Meeting

- A. The applicant shall, prior to submission of a sketch plan, meet with the Environmental Planner and Zoning Officer to discuss the establishment of the Planned Unit Development District and adherence to the recommendations in the Town of Dryden Residential and Commercial Development Design Guidelines.
- B. Documentation of the Pre-Application Meeting shall be required in order to submit a Sketch Plan.

(2) Sketch Plan Meeting

- A sketch plan conference shall be held with the Zoning Officer,

Environmental Planner and applicant to review the basic district design concept and generally determine the information to be required on the preliminary site plan. The applicant shall adhere to the Town of Dryden Residential and Commercial Development Design Guidelines, to the maximum extent practicable, in determining site design features. At the sketch plan meeting, the applicant shall provide the details required in subsection (3) below in addition to a statement describing the proposal.”

4. Section 2302.2 (Sketch Plan Conference) of Article XXIII is hereby amended in its entirety to read as follows:

“(1) Pre-Application Meeting

- A. The applicant shall, prior to submission of a sketch plan, meet with the Environmental Planner and Zoning Officer to discuss the development of the proposed site and adherence to the recommendations in the Town of Dryden Commercial Development Design Guidelines.
- B. Documentation of the Pre-Application Meeting shall be required in order to submit a Sketch Plan.

(2) Sketch Plan Meeting

A sketch plan conference shall be held with the Zoning Officer, Environmental Planner and applicant to review the basic site design concept and generally determine the information to be required on the preliminary site plan. The applicant shall adhere to the Town of Dryden Commercial Development Design Guidelines, to the maximum extent practicable, in determining site design features. At the sketch plan meeting, the applicant shall provide the details required in subsection (3) below in addition to a statement describing the proposed uses and development.

(3) At the sketch plan conference, the applicant shall provide:

- A. An area map showing the parcel under consideration for site plan review, and all properties, subdivisions, streets, and easements within 200 feet of the boundaries thereof.
- B. A map of site topography at no more than 5-foot contour intervals. If general site grades exceed 5 percent or portions of the site have a susceptibility to erosion, flooding, or ponding, a soils overlay and a topographic map showing contour intervals of not more than 2 feet of elevation should also be provided.”

5. Section 2302.4 (Review of Site Plan) of Article XXIII is hereby amended by adding thereto a new paragraph 12 to read as follows:

“12. Adherence to the recommendations set forth in the Town of Dryden

Commercial Development Guidelines.”

At the time of the public hearing the Town Board will also hear all interested parties on the Commercial Development Design Guidelines dated December 3, 2008 and the Residential Design Guidelines dated December 3, 2008, which guidelines were developed with the assistance of Behan Planning Associates and the Town of Dryden Planning Board. Copies of such guidelines are available at the Town Clerk’s Office at 93 East Main Street, Dryden, NY 13053 or online at www.behanplanning.com/bpfiles/dryden/committee.html.

The public hearing on the proposed amendments to the Zoning Ordinance and on the design guidelines will be held on February 11, 2009 at 7:30 P.M., prevailing time at the Town Hall, 93 East Main Street, Dryden, NY 13053 at which time interested parties will be heard.

By Order of the Town Board of
The Town of Dryden

Dated:
January 30, 2009

Bambi L. Hollenbeck
Town Clerk