



Memorandum

To: Town Board

Cc: Town Clerk, Town Attorney,

From: David Sprout, Planning Department

Subject: Special Use Permit for the Extension/Enlargement of a Nonconforming Use, Dryden Baptist Church Virgil Road, Tax Parcel # 48.-1-66.1

Date: June 2, 2017

The Dryden Baptist Church, located at 138 Virgil Road, in a Rural Residential (RR) zoning district has applied for a Special Use Permit (SUP) in order to enlarge the church with the addition of a 4700 square foot fellowship hall and a new main building entrance.

When the church was constructed (construction began in 1985), religious institutions were allowed uses in what was then an RB zoning district. Under the current Zoning Law, religious institutions require a SUP. Because of the zoning change, the Dryden Baptist Church is now a pre-existing, non-conforming use. Non-conforming uses may only be enlarged by SUP (Article XVI, Section 1601B).

In addition to the fellowship hall and new main entrance, one highway road cut will be eliminated, circulation around the facility will be improved and additional parking spaces will be added.

A 'Simple' stormwater pollution prevention plan (SWPPP) is required. A Simple SWPPP is one that the Stormwater Management Officer (SMO) provides a generalized plan describing the erosion control measures to be implemented to minimize the impacts of the land development activity.

In addition to a SUP, this project also requires Sketch Plan or Site Plan Review (SPR) approval. As this is an addition, not a new use, that the plans clearly illustrate the site's current and proposed conditions and that the proposed site changes will improve circulation and access to and through the site, the Planning Department recommends that the Board approve the SUP and waive a full SPR.

SEQR, County Review, Ag & Markets

For the purpose of environmental review, this is an 'Unlisted' action. The applicant has provide Part 1 of the Short Environmental Assessment Form (SEAF). The Board holds the lead agency status. This action is subject to Tompkins County Planning 239 review. A copy of the application was forwarded to the Tompkins County Planning Department. The project site is within Agricultural District #1. An Agricultural Data Statement is provided.

Sketch Plan Review

The Sketch Plan documents, as provided, show the basic layout of the site including the size of the existing building and the proposed addition, the existing and proposed parking spaces, existing lighting

and proposed relocation of one light pole, existing and proposed landscaping, the proposed changes to the existing driveway and entrance, and the existing sign current and proposed relocation.

Special Use

In order to review the project, the requirements of Special Use Permit should first be considered based upon the Sketch Plan and letter of application for Special Use Permit. The factors to consider for Special Use Permit, according to state and local law are listed in the table below.

SUP Standard	Planning Department Notes
Compatibility of the proposed use with the other permitted uses in the district and the purposes of the district set forth in this Ordinance.	This is not a new use. The purpose of the RR District is to define an area of the town where residential uses situated in a rural landscape constitute the primary land use. Single and two-family homes are the predominant form of development. A religious institution is an allowed use, by special permit. The Dryden Baptist Church has been located at 138 Virgil Road for over 30 years. It would be a hard argument to make that it is not compatible with other permitted uses. The addition, a fellowship hall, is typical, accessory space for a church – this is not a change of use.
Compatibility of the proposed use with the adjoining properties and with the natural and manmade environment.	Single-family homes on large lots are adjacent to the property on three sides, open fields are on all sides of the church property. The proposed addition will be in the rear of the existing structure. The addition will not change the compatibility of use with the adjoining properties or the manmade environment. Again, this is not a new use.
Adequacy of parking, vehicular circulation, and infrastructure for the proposed use, and accessibility for fire, police and emergency vehicles.	Today, a new facility the size of the Dryden Baptist Church would require 78 parking spaces (with or without the proposed addition). Currently there are only 41 parking spaces. A total of seventy-six spaces are planned. Applicant’s architect stated that two more spaces could be added if the Board feels it is necessary. Site work includes eliminating a road cut on the west side of the property, shifting the primary entry westward and improving circulation around the building. NYDOT must issue a work permit.
The overall impact on the site and its surroundings considering the environmental, social and economic impacts of traffic, noise, dust, odors, release of harmful substances, solid waste disposal, glare, or any other nuisance. (Note: this standard should be considered carefully with the environmental assessment form)	Other than during construction, there will be no change in the overall impact on the site or its surroundings. This project will have no impact on nearby farm operations. Eliminating one road cut will lessen the impacts of traffic. DOT prefers one road cut per property. A copy of the plan was sent to the Neptune Hose Company for comments and recommendations regarding circulation.
Restrictions and/or conditions on design of Structures or operation of the use (including hours of operation) necessary either to ensure compatibility with the surrounding uses or to protect the natural or scenic resources of the Town.	No restriction on the operation or hours of operation are necessary.
Compliance with the requirements for sketch plan or site plan review.	To the extent practicable, complies (see commercial guidelines notes below).

Compliance with Commercial Development Guidelines

Access and circulation: a single point of ingress/egress is proposed making Virgil Road (State Rte. 392) potentially safer. A wider interior driveway and increased parking spaces make improves circulation and emergency vehicle access. **Service & Roof Screening:** Not applicable. **Building Materials:** Materials will match existing structure. **Signs:** The existing sign will be relocated in what is now part of the principal driveway/entrance. **Natural Site Design:** The site is very flat, sitting six to ten feet below the adjacent property to the east. A drainpipe, running east to west, was previously connected to an existing swale along the easternmost parking area. A retaining wall was previously installed along a portion of the western property line. The adjacent property to the west is four to six feet below the church property. **Lighting & Utility Placement:** An existing light pole will be relocated south of the proposed addition. **Landscaping:** Three new trees or shrubs are indicated on the west side of the proposed new driveway/entrance. Four existing shrubs are on the east side. A fourth tree or shrub is shown on the northwest corner of the existing building. **Access to Public Transit & Trails:** No access to trails or public transit.