

General Permit Application Worksheet - Special Use Permit

Below or on a separate sheet, or in a letter of application, please provide the information required in the list below. All Special Use Permits require Site Plan Review, and applications must proceed beyond Sketch Plan Review in that procedure in order to be approved. The Town Board may waive further Site Plan Review based upon the Sketch Plan (see Site Plan Review Worksheet)

As you can see from the requested information, Special Use Permits are allowed uses so long as they are not disruptive to neighboring properties. The actual performance of the site with regard to traffic, lighting etc. is addressed in the Site Plan Review process. The Town Board may, and likely will, condition any approval to ensure this compatibility (letter E. below). These conditions often have to do with hours of operation, lighting, signs, and outdoor storage that will also have to be shown on the approved Sketch Plan, or Site Plan (if required).

- A. Compatibility of the proposed use with the other permitted uses in the district and the purposes of the district set forth in this Ordinance;

Please refer to the Zoning Ordinance (Section 400) and review the descriptions of the zoning districts. These generally describe the intent of the district. Your application should refer to the proper description and state why your proposed project is compatible with the intent of the zoning district.

The projects proposed purpose is operate a used car sales lot within existing "Mixed use medium density". The adjoining properties are all classified as mixed use zoning. By law a special use permit is needed.

- B. Compatibility of the proposed use with adjoining properties and with the natural and manmade environment;

This requirement is concerned with compatibility with neighbors, and the environment. This is mainly concerned with the over use of the property, and appearance. Essentially how does the proposal blend in with the existing neighborhood?

The proposed project will use existing parking lot and existing commercial building. By doing so, it will complement existing business properties, as this property is in need of a tenant.

- C. Adequacy of parking, vehicular circulation, and infrastructure for the proposed use, and accessibility for fire, police, and emergency vehicles;

Here, describe how utilities (phone, gas, water, sewer, etc.) will serve the site. And a basic description or reference to the Site Plan Review documents with regard to parking and circulation.

The existing site has been previously used as a restaurant.
The existing blacktop has accommodated 70+ vehicles at the peak. I am requesting room for 45 Display Vehicles. Existing well, municipal sewer, and gas will remain the same. Currently there are 2 entrances to the property NYS Route 13 and Ellis Drive.

- D. 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 nuisances;

The potential environmental impacts, or not, of the project should be described here, along with the ways that these impacts will be lessened, or made better. You may want to supply this on a separate sheet to be included in Part D. of the long Environmental Assessment Form.

The impacts to surroundings will be nominal/minimal.
There will be no construction to the property. No harmful substances will be used on premises. Noise levels will be less than that of the restaurant that was there.

- E. 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;

Here please indicate how the Site Plan and other operational approaches will reduce impacts, or improve, the compatibility with surrounding uses.

There are no restrictions to the operation, other than hours of reasonable sales to take place.

- F. Compliance with the requirements for site plan review, including conformity to the Town's Residential and Commercial Design Guidelines.

Please review the appropriate design guidelines and state how your project reflects the ideas included in the design guidelines such as vegetation along roadway, peaked roof, lighting, parking on side or in the rear of the building etc.

The site plan will be that of existing use. With references to area for sales display, customer parking and delineations of existing green space/shrubs and grass. The existing property conforms to Town's Commercial Corridor Districts

Notices and Disclaimers – Signature Required

1.) Right to Farm Law

Be advised:

"This property may border a farm, as defined in Town of Dryden Local Law #1 of the year 1992, a Local Law known as "Right to Farm Law." Residents should be aware that farmers have the right to undertake good or acceptable farm practices which may generate dust, odor, smoke, noise, and vibration."

Amendment #12, Local Law #1 of 1992, "Right to Farm Law" Adopted by Dryden Town Board July 14, 1992, Resolution #130. Local Law #1 of 1992. Effective July 20, 1992.

Enforcement

The Town of Dryden will strictly enforce all requirements and regulations of both the N.Y.S. Building & Fire Prevention Code and the Town of Dryden Zoning Ordinance. The following is the general policy of the Town of Dryden Planning Department.

- 1) No Building Permits will be issued to any applicant until such time that all other required permits, certificates and documents have been submitted to this office and found to be acceptable and complete.
- 2) No Public Hearings or Town Review will be scheduled for any purpose until this office has reviewed and found that all application and supporting documents are accurate and complete.
- 3) If at any time prior to the issue of an above permit or authority to proceed has been granted, it is found that construction or occupancy has begun or taken place, the violator, and property owner may be prosecuted in a court of law.
- 4) If after permits have been issued a permit holder takes occupancy, opens its doors to the public or uses a permitted device without obtaining a Certificate of Occupancy or Certificate of Compliance, the holder of that permit may be prosecuted in a court of law.

- 5) The Town of Dryden will not tolerate a violation of either the Dryden Town Zoning Ordinance or the New York State Building and Fire Prevention Code. Action will be taken against all violators.
- 6) **Inspections are required** per inspection sheet. A mandatory final inspection is required from the Town of Dryden Code Enforcement Officer, to close out permit and to allow use. Permits expire one year from date of issue and will need to be renewed by applicant and a fee of one-half of the permit fee at time of issue will be due. Demolition permits expire six months after issue.

Fees

- 1) FEES MUST BE SUBMITTED WITH THIS APPLICATION
- 2) You are responsible for complying with these terms and conditions.
- 3) All plans that are for Commercial Use or are more than 1500 Sq. Ft. of usable space in single-family construction must be stamped by a N.Y.S. Licensed Architect or Engineer as to code and construction compliance.

Special Use Permit Fee: \$165

Planned Unit Development SUP: \$250

Large Scale Retail Development SUP: \$250

Escrow

Reimbursable Costs, fees and disbursements. The reasonable and necessary costs, fees or disbursements incurred by the Town or its officials for consultation or review by professionals including architects, landscape architect, engineers, surveyors, attorneys or others, on any Application for a Zoning Permit, Certificate of Occupancy, Appeal to the Zoning Board of Appeals, Application for Subdivision Approval, Application for a Planned Unit Development or application for a Special Permit or a Special Permit for a mobile home park shall be paid by the applicant.

Signature required

By signing you agree that you have read and understand and will be responsible for issued permits.

Owner or responsible party signature: _____

Date: _____

Print name: _____

David Donlick
Date: 10/31/18
Print name: David Donlick / Dawn Sapp