

**RESOLUTION # \_\_\_\_ (2018) - Approving Site Plan and Granting Special Use Permit for a Contractor Yard at 450 Cortland Road, Tax Parcel 26.-1-14.4**

Cl \_\_\_\_\_ offered the following resolution and asked for its adoption:

WHEREAS,

- A. Jack Litzenberger/2Pros Construction has applied for a Special Use Permit (SUP) to operate a contractor yard at 450 Cortland Road, Tax Parcel 26.-1-14.4; and
- B. The proposed contractor yard will occupy an existing building; and
- C. An application, sketch plan, short EAF, and Ground Disturbance Tally Form have been submitted, and
- D. The Town Planning Department considers the application complete and in conformance with the requirements of Town Zoning Law §501, §600, §1103 and §1201, and
- E. A public hearing was held on December 20, 2018 with public comments registered in the meeting minutes and considered by this board, and
- F. The Tompkins County Planning Department has reviewed the application pursuant §239 -l, -m, and -n of the New York State General Municipal Law, and
- G. In a letter dated December 13, 2018, the Tompkins County Planning Department concluded that the proposal will have no negative inter-community or county-wide impact, and
- H. The Stormwater Management Officer reviewed the proposal and concluded that a Stormwater Pollution Prevention Plan (SWPPP) was not required, and
- I. Pursuant to the New York State Environmental Quality Review Act (“SEQRA”) and its implementing regulations at 6 NYCRR Part 617, the Town Board of the Town of Dryden has, on December 20, 2018, made a negative determination of environmental significance, after having reviewed and accepted as adequate the Short Environmental Assessment Form Parts 1, 2, and 3, and
- J. The Town Board has reviewed this application relative to the considerations and standards found in Town Zoning Law §1104 for site plan review and §1202 for Special Use Permit.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1. The Town Board approves the sketch plan documents, submitted with the application dated October 5, 2018, as site plan for 450 Cortland Road, conditioned on the following prior to issuance of a Certificate of Occupancy:
  - a. A landscaping plan shall be submitted to and approved by the Director of Planning.
  - b. Decrease the height of the sign by at least two feet to better conform with the Commercial Design Guidelines.
  - c. Any lighting should be night-sky compliant.
  - d.

2. The Town Board hereby finds that the considerations for approval of the requested Special Use Permit listed in Section 1202 of the Town of Dryden Zoning Law have been met, specifically that:

- a. The proposed use is compatible with the other permitted uses in the Rural Residential district and compatible with the purpose of this district as a contractor yards is an allowed use in this district and this parcel is located along the Route 13 corridor with other commercial businesses;
- b. The proposed use is compatible with adjoining properties and with the natural and manmade environment, as this proposal is for the re-use of an existing facility with minimal site changes proposed. The property is surrounded by farm fields and woods;
- c. Parking, vehicular circulation, and infrastructure for the proposed use is adequate. The requirement for sidewalks along the frontage is waived since there are no existing or planned pedestrian facilities along this busy stretch of Route 13;
- 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 has been considered and found to be negligible, based on the information and reasons in the Short Environmental Assessment Form;
- e. Restrictions and/or conditions on design of structures or operation of the use (including hours of operation) necessary to ensure compatibility with the surrounding uses or to protect the natural or scenic resources of the Town have been incorporated into the site plan;
- f. The project complies with the requirements for site plan review and conforms to the Town's Commercial Design Guidelines to the maximum extent practicable in that: the site is screened from residential uses by the existing topography and distance, and there is only one access point to and from the highway,

3. The Town Board, finding that the applicant is in compliance with all other provisions of the Town Zoning Law and other applicable ordinances, approves a Special Use Permit for the contractor yard at 450 Cortland Road with the Town of Dryden Standard Conditions of Approval as amended August 14, 2008.

2<sup>nd</sup> Cl \_\_\_\_\_

Roll Call Vote	Cl Lavine
	Cl Green
	Cl Servoss
	Cl Lamb
	Supv Leifer