



## Memorandum

To: Town Board

C: Town Clerk, Town Attorney

From: Planning Department

Subject: 983 Peruville Road, Tax Parcel ID # 22.-1-6.3

Date: March 5, 2020

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The Planning Department is in receipt of a Special Use Permit (SUP) application from Peter Daniel Barrow, for a martial arts studio – Fingerlakes Shaolin-Do, at 983 Peruville Road. The property is in the Rural Agricultural zoning district

The proposed studio will be in an existing 1450 square foot pole barn. Minor, non-structural alterations to the interior of the building are proposed. The only proposed change to the exterior of the structure is the relocation of an exterior door.

A monument sign, shrubs and a parking area are the only changes proposed for the site. In the future, herb gardens may be created behind the barn. There are two driveways on the property - a paved drive leading directly to the pole barn and a gravel drive leading to the back of the barn.

It appears that both drives will be used for access to and from the parking lot. If so, a condition of approval should be that one drive is for entry to the site, the other for exiting only. Enter Only and Exit Only signs should be required.

A work permit from NYS Department of Transportation (NYDOT) will likely be required and NYDOT will dictate the final configuration. NYDOT's initial response regarding the project is that they do not anticipate there being any issues.

This action is subject to the following approvals:

- a) A SUP for a service business in a Rural Agricultural zoning district pursuant to Article V, Section 501 and Article XII, Section 1201 of the Town of Dryden Zoning Ordinance.
- b) Sketch Plan Review followed by Full Site Plan Review, if required, pursuant to Article XI, Section 1101 of the Town's Zoning Law.

This project is not subject to State Environmental Quality Review (SEQR) as it qualifies as a Type II action under 6 CRR-NY 617.5 (c) (18) "reuse of a...commercial structure...where the...commercial use is a permitted use under the applicable zoning law...and the action does not meet or exceed any of the thresholds in Section 617.4 of this Part"

In addition to the EAF, other application documents include the Sketch, General Permit application, SUP worksheet responses, and Ground Disturbance Tally Form.

The Stormwater Management Officer will prepare a ‘Simple’ stormwater pollution prevention plan (SWPPP), after Board approvals.

Tompkins County’s GML§239 –l, -m and –n review of this project yielded a determination of no negative inter-community, or county-wide impacts.

In order to review the project, the requirements for a Special Use Permit should first be considered based upon the Sketch Plan and letter of application for a Special Use Permit, and understanding that any issues or concerns can be further addressed in conditions of approval or by requiring Full Site Plan Review.

***Sketch Plan Review***

The Sketch Plan documents, as provided, shows the layout of the site, the existing buildings in relation to the site, proposed highway access and parking areas, sign and plantings location. The adaptive reuse of an existing building and site should always be encouraged as a best practice.

The Planning Department recommends waiving further site plan review and accepting the Sketch documents with the following conditions:

1. A NYDOT work permit is issued or determined (by NYDOT) to not be required.
2. That, if the parking lot needs to be reconfigured, the reconfiguration is approved by the Planning Director.
3. That non-invasive plants are used for the landscaping/screening of the parking area

***Special Use***

The factors to consider for Special Use Permit, according to state and local law are stated in the table below.

<b>SUP Standard</b>	<b>Planning Department Notes</b>
Compatibility of the proposed use with the other permitted uses in the district and the purposes of the district set forth in this Ordinance	The Rural Agriculture (RA) district is an area intended to remain rural and where agriculture is recognized as the primary land use. A martial arts studio is both a Service Business and Athletic Recreational Facility – both are permitted uses in the RA zone.
Compatibility of the proposed use with the adjoining properties and with the natural and manmade environment.	The nearest residences are approximately 400’ from the building. A self-storage facility is directly across the street.
Adequacy of parking, vehicular circulation, and infrastructure for the proposed use, and accessibility for fire, police and emergency vehicles.	Eight (8) parking spaces are required, eight (8) spaces are proposed. One accessible parking space and an accessible route into the building is required. NYSDOT must approve the driveway cuts. Emergency vehicles have access to the site from the roadway.

<p>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)</p>	<p>There will be an increase in traffic to and from the site but that increase will have minimal impact to the site or surroundings. The martial arts facility will not generate noise, dust, odors, or release harmful substances.</p>
<p>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.</p>	<p>No restrictions are necessary. Most classes are in the evening and limited to approximately 25 hours per week.</p>
<p>Compliance with the requirements for site plan review, including conformity to the Town's Residential and Commercial Design Guidelines.</p>	<p>No new lighting is proposed. A monument sign and shrubbery, screening the parking area from the roadway are both site features consistent with the Town's commercial design guidelines.</p>