

**RESOLUTION #\_\_\_ (2019) - Approving Site Plan and Granting Special Use Permit for a Martial Arts School at 983 Peruville Road, Tax Parcel 22.-1-6.3**

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

WHEREAS,

- A. Dan Barrow/Nan Properties has applied for a Special Use Permit (SUP) to operate a martial arts school at 983 Peruville Road, Tax Parcel 22.-1-6.3; and
- B. An application, SUP worksheet and sketch plan have been submitted, and
- C. The Town Planning Department considers the application complete and in conformance with the requirements of Town Zoning Law §501, §600, §1103 and §1201, and
- D. A public hearing was held on March 19, 2020 with public comments registered in the meeting minutes and considered by this board, and
- E. The Tompkins County Planning Department has reviewed the application pursuant §239 -l, -m, and -n of the New York State General Municipal Law, and
- F. In a letter dated March 4, 2020, the Tompkins County Planning Department determined that the proposal has no negative inter-community, or county-wide impacts, and
- G. The Stormwater Management Officer reviewed the proposal and concluded that only a 'Simple' Stormwater Pollution Prevention Plan (SWPPP), consisting of erosion and sediment control practices, and prepared by the Stormwater Management Officer, is required, and
- H. 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 March 19, 2020, determined that this proposal is exempt from review since it is a Type II action under 6 CRR-NY 617.5 (c) (18), and
- I. 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 January 16, 2020 as site plan for 983 Peruville Road, conditioned on the following prior to issuance of a Certificate of Occupancy:
  - a. A NYDOT work permit is issued or determined (by NYDOT) to not be required;
  - b. That, if DOT requirements cause the reconfiguration of the parking lot, the reconfiguration is approved by the Planning Director; and
  - c. That non-invasive plants are used for the landscaping/screening of the parking area.

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 Agricultural district and compatible with the purpose of this district as Service Businesses and Athletic Recreational Facilities are both permitted uses in this zone and this parcel is located along the Route 34B corridor near other commercial businesses;
- b. The proposed use is compatible with adjoining properties and with the natural and manmade environment, as this proposal is for reuse of an existing building, the nearest residences are about 400 ft distant and a self-storage business is across the road;
- c. Parking, vehicular circulation, and infrastructure for the proposed use is adequate. The required eight parking spaces are provided and emergency vehicles have access from the roadway;
- 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 low volume of traffic associated with this business and that it will not generate noise, dust, odors or release harmful substances;
- e. Restrictions and/or conditions on design of structures or operation of the use 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 landscape and will be further screened by additional landscaping.

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 martial arts school at 983 Peruville Road with the Town of Dryden Standard Conditions of Approval as amended August 14, 2008.

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