

**RESOLUTION # \_\_\_\_ (2021) - Approving Site Plan and Special Use Permit Amendment for an Additional Parking Lot at 2171 Dryden Road, Tax Parcels 47.-1-1.1 and 1.37**

WHEREAS,

- A. Scott and Judith Adams, dba Scotties Auto Repair, have applied to amend their Special Use Permit (SUP) and site plan to add a 14 car parking lot on Tax parcel 47.-1-1.37, the adjacent parcel to the east and south of the existing auto repair business on Tax Parcel 47.-1-1.1 with address of 2171 Dryden Road; and
- B. This action is meant to remedy existing violations, and
- C. The original SUP and site plan was approved by the Town Board (Board) on February 3, 1999; and
- D. An application, sketch plan, and short EAF have been submitted with an amended application submitted on November 17, 2021, and
- E. The Town Planning Department considers the application complete and in conformance with the requirements of the Code of the Town of Dryden (Code) §270-5.2, §270-6.1, §270-11.2 and §270-12.1, and
- F. A public hearing was held on October 21, 2021 and continued to November 18, 2021 with public comments registered in the meeting minutes and considered by the Board, and
- G. The Tompkins County Planning Department has reviewed the application pursuant §239 -l, -m, and -n of the New York State General Municipal Law, and
- H. In a letter dated October 8, 2021, the Tompkins County Department of Planning and Sustainability recommended that a 50-foot natural buffer be maintained between the parking and the stream on the eastern edge of the property, and
- I. The amendments submitted on November 17, 2021 move the parking area out of the 50 foot buffer recommended by Tompkins County, and
- J. The Town Planning Board reviewed the site plan and made recommendations at their September 23, 2021 meeting and these have been considered by the Board, and
- K. 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 October 21, 2021, 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
- L. The Board has reviewed this application relative to the considerations and standards found in Code §270-11.4 for site plan review and §270-12.2 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 August 12, 2021 and amended on November 17, 2021 as site plan for 2171 Dryden Road, conditioned on the following:

- a. A simple Erosion and Sediment Control plan shall be developed, approved and implemented prior to construction activity.
- b. This permit exists only so long as both tax parcel 47.-1-1.1 and 47.-1-1.37 are owned by the same entity and operate as one business.
- c. Access to western driveway on tax parcel 47.-1-1.2 shall be reduced to 12 foot wide and used for the private residence only. Some barricade, cones or plastic chain should be used as a temporary measure.
- d. The vehicles on the lot shall be registered or certified as operable to comply with Code.
- e. Vehicles are only allowed to be parked in the 37 spaces shown on the site plan as amended.
- f. Screening vegetation shown on site plan shall be maintained at a height and density sufficient to substantially screen the vehicles from Route 13.
- g. Work on the parking area is to be completed by May 31, 2022.

2. The Town Board hereby finds that the considerations for approval of the requested Special Use Permit amendment listed in Code Section 270-12.2 have been met, specifically that:

- a. The proposed use is compatible with the other permitted uses in the Mixed Use Commercial district and compatible with the purpose of this district as automotive repair garage 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 will be visually compatible with adjoining properties and with the natural and manmade environment, due to the screening provided by the natural vegetation buffer on the eastern border of the parking lot. The private residence to the west is the business owner's residence;
- c. Parking, vehicular circulation, and infrastructure for the proposed use is adequate. Code Section 270-13.10 provides for 14 parking spaces for visitors and employees and requires other vehicles awaiting repair to be parked in rear or side yards. For this thriving repair business the 37 total parking spaces shown on the site plan is justified. There will be no sidewalk along Route 13 as there is no other sidewalk to connect to. There is no additional demand for sewer and water;
- 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 in the Short Environmental Assessment Form;
- 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. This includes the condition in the original permit that restricts hours of operation to 7:00 am to 6:00 pm Monday-Friday;
- 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 new parking lot is screened from the roadway.

3. The Town Board, finding that the applicant is in compliance with all other provisions of the Code of the Town of Dryden and other applicable ordinances, approves a Special Use

Permit amendment for the automotive repair garage at 2171 Dryden Road with the Town of Dryden Standard Conditions of Approval as amended August 14, 2008.