

**RESOLUTION (2022) - Approving Special Use Permit Amendment for a Gravel Mining Permit Renewal and Expansion at 290 Mott Road, Tax Parcels 35.-1-6.1, 6.2 and 7.1**

WHEREAS,

- A. RMS Gravel, Inc., with operations centered at 290 Mott Road, applied to amend their Special Use Permit (SUP) and site plan to expand their mine from the existing 214.5 acre mining area by adding a 46.4 acre area situated to the southwest of the intersection of Mott and Hart Roads, involving Tax parcels 35.-1-6.1, 6.2 and 7.1, and
- B. Mining is an allowed use by Special Use Permit in the Rural Agricultural and Conservation districts where this mine is located, and
- C. The original SUP and site plan was approved with conditions by the Town Board (Board) on September 2, 1997, and
- D. An application, including maps and Full Environmental Assessment Form, were submitted to the NYS Department of Environmental Conservation (DEC) and deemed complete by DEC on March 9, 2022, and
- E. DEC transmitted the application to the Town on March 14, 2022 asking the Town's review, and
- F. The Town Planning Department considers the application complete and in conformance with the requirements of the Code of the Town of Dryden (Code) for review under §270-13.4, and
- G. A public hearing was held on April 14, 2022 with public comments registered in the meeting minutes and considered by the Board, and
- H. The Tompkins County Planning Department has reviewed the application pursuant to §239 -l, -m, and -n of the New York State General Municipal Law, and
- I. In a letter dated April 13, 2022, the Tompkins County Department of Planning and Sustainability had no recommendations but made two comments on this proposal that are being forwarded to DEC along with this resolution, and
- J. Pursuant to the New York State Environmental Quality Review Act ("SEQRA") and its implementing regulations at 6 NYCRR Part 617, the NYS Department of Environmental Conservation on March 10, 2022, made a negative determination of environmental significance, and
- K. The Board has reviewed this application relative to the considerations and standards found in Code §270-13.4 for Mining.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board of the Town of Dryden approves the Special Use Permit amendment to expand the mining area at 290 Mott Road pursuant to the application materials received from the NYS Department of Environmental Conservation on March 14, 2022.

2. The conditions of the original SUP still apply, namely “setbacks will be established by NYS DEC permit along with adequate site security to barrier access. Dust control mitigation is spelled out in the EIS and shall be appropriately implemented. Hours of operation will remain consistent with current mining business hours.” The Town of Dryden Standard Conditions of Approval as amended August 14, 2008 also apply.