

RESOLUTION # ____ (2023) - Amending Site Plan and Special Use Permit for a Contractor Yard at 1847 Hanshaw Road, Tax Parcel 42.-1-29

Cl _____ offered the following resolution and asked for its adoption:

WHEREAS,

- A. In July 2020 Terance Bailey received a Special Use Permit (SUP) and site plan approval to locate a contractor yard at 1847 Hanshaw Road, Tax Parcel 42.-1-29; and
- B. On May 19, 2023 Mr. Bailey applied to amend his SUP and site plan with submittal of an application to construct a second building, SUP worksheet, elevations, notice of ground disturbance and sketch plan, and
- C. The Town Planning Department considers the application complete and in conformance with the requirements of the Code of the Town of Dryden (Code) §270-11 and §270-12, and
- D. A public hearing was held on July 20, 2023 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 July 13, 2023, the Tompkins County Planning Department made recommendations that have been addressed by the applicant or are addressed by conditions in the first resolve below, 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 determines that this proposal is exempt from review since it is a Type II action under 6 CRR-NY 617.5 (c) (9), and
- I. The Town Board has reviewed this application relative to the considerations and standards found in Code §270-11 for site plan review and §270-12 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 May 19, 2023 as site plan for 1847 Hanshaw Road, conditioned on the following prior to issuance of a Certificate of Occupancy:
 - a. Exterior lighting will be night-sky compliant and at below 3000 degrees K.
 - b. Building finish will be neutral colors.
 - c. No outside storage south or east of building (to protect wetland)
 - d. The existing 20 foot wide vegetative buffer along property lines adjoining residential parcels shall be maintained in accordance with Code 270-9.10.
 - e. Construction shall be outside of the wetland located in the southeast corner and not impact it.

2. The Town Board hereby finds that the considerations for approval of the requested Special Use Permit listed in Code Section 270-12 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 Contractor Yards are a permitted use in this zone and this parcel is located near the Hanshaw Road/ Route 13 intersection 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 a single building located 350 feet from the road and screened by existing trees and there are other large buildings much more visible along this stretch of Hanshaw Road;
 - c. Parking, vehicular circulation, and infrastructure for the proposed use is adequate. There are eight parking spaces 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.
3. The Town Board, finding that the applicant is in compliance with all other provisions of the Code and other applicable ordinances, approves this amendment to the Site Plan and Special Use Permit for the contractor yard at 1847 Hanshaw Road with the Town of Dryden Standard Conditions of Approval as amended August 14, 2008.

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