



Memorandum

To: Town Board

C: Town Clerk, Town Attorney

From: Planning Department

Subject: 1622 Dryden Road, Dryden Tax Parcel ID# 44.-1-13.416

Date: December 20, 2023

The Planning Department is in receipt of a Special Use Permit (SUP) application, submitted by Nickolas Bellisario, for a contractor's yard at 1622 Dryden Road. The applicant proposes to use the contractor's yard to stockpile construction materials such as stone, topsoil, millings and mulch and store construction equipment and roll-off containers. A 60' x 50' cover-all structure is proposed to cover topsoil at the site. The applicant also proposes to use a mobile screening plant to screen topsoil and aggregate at the site. The project includes planting vegetative screening along the southern and western property boundaries as well as removing the existing driveway and instead using a shared driveway. The project site is an existing fill site and is operating under a stormwater pollution prevention plan (SWPPP) requiring erosion and sedimentation controls. The project site is located in a Rural Residential zoning district.

This action is subject to the following approvals:

- a) A SUP to allow a contractor's yard in the Rural Residential zoning district pursuant to Town of Dryden Code, § 270-12
- b) Sketch Plan Review followed by Full Site Plan Review, if required, pursuant to Town of Dryden Code, § 270-11

This action is subject to Regional GML-239 review as the project site is located within 500 feet of a New York State Highway. In a letter, dated November 21, 2023, Tompkins County Department of Planning and Sustainability determined the proposed project will have no significant county-wide or inter-community impact.

This action is subject to SEQR review as an unlisted action - 6 CRR-NY 617.

As stated above, the project site is operating under an existing SWPPP and inspections of erosion controls at the site are conducted on a regular basis. Prior to the use of the site, the applicant shall coordinate with the Town's Stormwater Manager and Engineer and NYS DEC to determine compliance with the existing SWPPP, or if necessary, seek coverage under a revised SWPPP that addresses the scope of the proposed project including possible post-construction stormwater management practices.

Application documents include a General Permit application, SUP worksheet responses, Ground Disturbance Tally Form, Short Environmental Assessment Form as well as Site and Landscaping Plans. The supplemental materials submitted 12/19/2023 include a narrative, an updated landscaping plan and additional information specifying the type of proposed vegetative plantings.

In order to review the project, the requirements for a Special Use Permit should be considered first based upon the Sketch Plan and application for a Special Use Permit, and an 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, show the general layout of the site, the proposed location of the contractor’s yard, the existing driveway to be removed, the shared driveway to be used, as well as a landscaping plan for plantings along the road frontage and western edge of the project site. The Planning Department believes that the Board can accept the Sketch as the Final Site Plan provided that:

- 1.) Clarify whether the berm along the road frontage will be removed. One untitled site plan states the berm will be removed while another untitled site plan states that once the driveway is removed a berm will be built to match and continue the existing berm.

Special Use

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

SUP Standard	Planning Department Notes
<p>Compatibility of the proposed use with the other permitted uses in the district and the purposes of the district set forth in this Ordinance</p>	<p>The purpose of the Rural Residential zoning district is to define an area of primarily residential uses situated in rural settings without public sewer or water.</p> <p>The project site is located within a relatively small cluster of residential parcels on Dryden Road. However, nearby commercial developments are present including a warehouse that abuts the project site to the northeast and Elemental Pet Vets and Second Home Boarding & Daycare which abut the project site to the west. Parcels zoned as Mixed-Use Commercial are located on the same side of Dryden Road to the west and east of the project site (approximately 1,500 feet to the west and 500 feet to the east).</p> <p>A contractor’s yard would not be substantially out of character with the general area surrounding the project site, however the storage of construction equipment and stockpiles of materials are likely to be visually unpleasant to nearby residents and commuters on Dryden Road. To ensure compatibility with the Rural Residential zoning district, vegetative buffers must be planted to mitigate any negative visual impact at the site.</p>
<p>Compatibility of the proposed use with the adjoining properties and with the natural and manmade environment.</p>	<p>As noted above, two commercial facilities are located to the west of the project site, Elemental Pet Vets and Second Home Boarding & Daycare. The view of the project site from the west will be partially screened by the proposed vegetative buffer. Second Home Boarding & Daycare is located further back from Dryden Road and is located well below the grade of</p>

	<p>the existing grade of the fill site. Although the side berms of the existing fill site are visible from this location, the view of the materials and equipment stored at the site will be impeded.</p> <p>Residential dwellings are located to the south, across Dryden Road, and to the east of the project site. Town of Dryden Code, § 270-9.10, states, in summary, that commercial uses in a Rural Residential zoning district shall install 20-foot buffers at common property lines when abutting, or across the road from, residential properties. The view of the project site from the residences to the south will be screened by the proposed vegetative buffer along the road frontage. The view of the project site from the residential dwelling to the east is partially screened by existing vegetation. Similar to Second Home Boarding & Daycare, the residence to the east is also located well below the grade of the existing fill site.</p> <p>The proposed contractor’s yard is not expected to result in a significant negative impact to adjoining neighbors provided adequate buffers are provided.</p> <p>An intermittent stream is located on the eastern edge of the project site. Inspections of the erosion controls at the site will continue to prevent off-site sedimentation.</p>
<p>Adequacy of parking, vehicular circulation, and infrastructure for the proposed use, and accessibility for fire, police and emergency vehicles.</p>	<p>In the supplemental materials submitted by the applicant, the location of proposed stockpiles and structures are identified. As proposed, the project site contains adequate space for vehicle access and circulation and is suitable for emergency vehicle access.</p>
<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>Although vehicle access at the site may not have a substantial impact on the volume of traffic on Route 13, the applicant should state the expected number and timing of trips to and from the site.</p> <p>The applicant should state the expected dust and noise impacts associated with screening topsoil and millings. The proposed and existing vegetative buffers at the site should mitigate noise and dust impacts.</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>The applicant shall coordinate with the Town’s Stormwater Manager and Engineer and NYS DEC to determine compliance with the existing SWPPP, or if necessary, seek coverage under a revised SWPPP that addresses the scope of the proposed project including possible post-construction stormwater management practices.</p> <p>The proposed willow tree landscaping is to achieve a density as portrayed in pictures submitted and be supplemented with</p>

	<p>evergreen trees every 20 feet to provide some year-round screening.</p>
<p>Compliance with the requirements for site plan review, including conformity to the Town's Residential and Commercial Design Guidelines.</p>	<p>The Town of Dryden's Commercial Guidelines call for "natural site design" by minimizing cutting and filling and thus preserving topography. To this point, the Planning Board recommended that, for the future fill, there should be some terracing at the site. The applicant should clarify whether terracing is proposed, and if not, clarify the limitations to doing so.</p>