

RESOLUTION #___ (2024) - GRANTING SPECIAL USE PERMIT AND APPROVING SITE PLAN FOR A RETAIL BUSINESS AT 465 NORTH ROAD, TAX PARCEL 27.-1-27.2

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

WHEREAS,

- A. Shana Karn has applied for a Special Use Permit (SUP) and site plan approval for a retail business to be located at 465 North Road, Tax parcel 27.-1-27.2. The application included sketch plans, SUP worksheet, notice of ground disturbance and Short Environmental Assessment Form. Supplemental materials submitted by the applicant included responses to the subset of the site plan checklist, the expected number of vehicles accessing the site, updated sketch plans and narrative and an updated parking plan.
- B. 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
- C. The Tompkins County Planning Department has reviewed the application pursuant §239 -l, -m, and -n of the New York State General Municipal Law, and
- D. In a letter dated January 30, 2024, the Tompkins County Planning Department determined that the proposed action will have no significant county-wide or inter-community impact, and
- E. 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 February 15, 2024, determined the project is a type II action per 6 CRR-NY 617.5(18), which states, reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceeds any of the thresholds in section 617.4 of this Part.
- F. A public hearing was held on February 15, 2024, with public comments registered in the meeting minutes and considered by this board, and
- G. 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 and amended with supplemental submissions, as site plan for 465 North Road, conditioned on the following:
 - a. Existing vegetation that partially screens the adjacent residences, and North Road, is to remain undisturbed or manicured to maintain their size and visual screening.
 - b. Permanent bathroom facilities, a toilet and handwash sink, shall be installed within 6 months of SUP approval.
 - c. The applicant shall install the proposed sign in accordance with sign regulations found in Code 270-9.4.

d. The applicant shall install a permanent sign stating no parking along the southern side of the access driveway, as well as a permanent sign stating no parking closer to the road, or similar language, on the eastern end of the parking along the north side of the access driveway in order to ensure a 20-foot wide driveway.

e. The applicant shall mark the parking spaces along the northern side of the driveway with 4x4 posts, curb stops or similar method.

f. The applicant shall provide potable water for customers via a water cooler or similar method.

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 Agricultural district and compatible with the purpose of this district as retail businesses are a permitted use in this zone and given the nature of the business and expected traffic at the site the proposed project is not expected to negatively impact surrounding agricultural uses; other businesses have operated at this facility and farm operations have continued in the area immediately surrounding the site;

b. The proposed use is compatible with adjoining properties and with the natural and manmade environment, as this project will utilize an existing building with some existing vegetative screening;

c. Parking, vehicular circulation, and infrastructure for the proposed use is adequate provided the applicant installs the parking signs, and marks parking spaces as conditioned as part of SUP approval to maintain at least a 20-foot wide driveway;

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 expected volume of traffic associated with this business, and the business is not expected to generate excessive noise, dust, odors or release of 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 and conditions of the SUP permit;

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 partially screened from residential uses by the existing landscaping, the proposed sign is low to the ground with proposed plantings at the base, and the project will utilize a developed site and as such no cutting and filling at the site is required.

3. The Town Board, finding that the applicant is in compliance with all other provisions of the Code and other applicable ordinances, approves this Site Plan and Special Use Permit for a retail business at 465 North Road with the Town of Dryden Standard Conditions of Approval as amended August 14, 2008.